

No. 25-6536

IN THE
**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

TODD R.G. HILL,
Plaintiff-Appellant,

vs.

PEOPLES COLLEGE OF LAW – BOARD OF DIRECTORS, *et al.*,
Defendants-Appellees.

On Appeal from the United States District Court
For the Central District of California
The Honorable Josephine L. Staton
District Court Case No. 2:23-cv-01298 JLS (BFM)

**Peoples College of Law Appellees’
Supplemental Excerpts of Record (Index Volume)**

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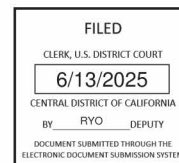
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PCL-SER-00001



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**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION

TODD R. G. HILL, et al,

Plaintiffs

vs.

**THE BOARD OF DIRECTORS,
OFFICERS AND AGENTS AND
INDIVIDUALS OF THE PEOPLES
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Defendants.

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

**PLAINTIFF'S MOTION FOR LEAVE TO
FILE FIFTH AMENDED COMPLAINT
UNDER RULE 15(a)(2)**

NO ORAL ARGUMENT REQUESTED

**PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM

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**PLAINTIFF’S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

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**PLAINTIFF’S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Plaintiff TODD R. G. HILL respectfully moves the Court for leave to file the attached Fifth Amended Complaint pursuant to Federal Rule of Civil Procedure 15(a)(2).

This motion is brought to clarify any procedural ambiguity regarding the prior submission of the Proposed Fifth Amended Complaint (“5AC”) and to ensure full compliance with formal leave requirements, notwithstanding the Court’s prior directive (Dkt. 311) and Plaintiff’s timely submissions (Dkts. 310, 317, 318).

This motion is based on this Notice, the attached Memorandum of Points and Authorities, the contemporaneously filed [Corrected Proposed] Fifth Amended Complaint (see Docket 313), the previously submitted redline (Dkt. 318), and all pleadings and records on file in this case.

This modest filing is intended solely to assist the Court in reaching a reasoned and complete ruling, particularly as neither opposition acknowledges key docket activity or engages with the enhanced clarity, declaration, and redline already submitted.

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff seeks leave to file the proposed 5AC to streamline the record, narrow the scope of the dispute, and cure perceived deficiencies raised by Defendants in their pending motions to dismiss. Granting leave will promote judicial economy and allow this case to be adjudicated on the merits,

**PLAINTIFF’S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

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1 which is strongly favored by federal policy and Ninth Circuit precedent. As this motion demonstrates,
2 the proposed amendment is made in good faith, will not cause undue delay or prejudice, and is not
3 futile. Justice requires that leave be granted.
4

5 6 **II. PROCEDURAL BACKGROUND**

7 The Plaintiff previously submitted his proposed 5AC on May 19, 2025, in direct response to
8 Defendants' pending Rule 12(b)(6) motions and a pendant Rule 59(e) motion. Thereafter, pursuant to
9 the Court's order (Docket 311), Plaintiff submitted a corrected proposed version and a redline
10 comparison of the proposed changes. Defendants have since opposed the filing on procedural
11 grounds, arguing that Plaintiff did not file a formal motion for leave. To resolve any procedural
12 ambiguity and in an abundance of caution, Plaintiff now brings this formal motion to respectfully
13 request that leave be granted.
14
15

16 The Ninth Circuit has repeatedly emphasized that motions for leave to amend should be
17 adjudicated based on fairness and the substance of the proposed amendment, not procedural formality
18 or one-sided framing. See *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1052 (9th Cir.
19 2003). Allowing Plaintiff to file the proposed amendment promotes that fairness, particularly when
20 the Defendants' oppositions are demonstrably incomplete in their recitation of the docket and
21 misstate, or otherwise fail to conform to, governing legal principles.
22
23

24 **III. LEGAL STANDARD**

25 Under Federal Rule of Civil Procedure 15(a)(2), a court should "freely give leave [to amend]
26 when justice so requires." The Supreme Court has instructed that this mandate is to be heeded, and
27 that leave should only be denied for reasons such as "undue delay, bad faith or dilatory motive on the
28

PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER RULE 15(a)(2)

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1 part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue
2 prejudice to the opposing party by virtue of allowance of the amendment, [or] futility of amendment.”

3
4 *Foman v. Davis*, 371 U.S. 178, 182 (1962).

5 The Ninth Circuit has consistently emphasized this “policy of extreme liberality in favor of
6 granting leave.” *Eminence Capital, LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003). The
7 burden of showing why leave should be denied rests firmly on the opposing party. Indeed, a district
8 court’s “discretion to deny leave is ‘particularly broad’ where the plaintiff has previously amended
9 the complaint,” but the core policy remains in favor of amendment. *Lopez v. Smith*, 203 F.3d 1122,
10 1130-31 (9th Cir. 2000).

11
12 To deny leave under these circumstances, where the Court invited the submission and Defendants
13 have mounted full-scale oppositions, would be to convert the Court’s invitation into an asymmetric
14 procedural trap. Leave should be granted to ensure a complete and accurate record before the Court
15 rules.
16

17 18 **IV. ARGUMENT**

19 20 **A. Leave Should be Granted in the Interest of Justice.**

21
22 The proposed 5AC is a good-faith effort to advance this litigation efficiently and fairly. It does
23 not assert new causes of action. Rather, it clarifies factual allegations, improves the narrative
24 structure, and incorporates refinements in direct response to Defendants’ arguments, all while
25 preserving Plaintiff’s position that the Fourth Amended Complaint was legally sufficient. This is
26 precisely the type of curative amendment Rule 15 is designed to encourage.
27

28 --- **PLAINTIFF’S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER RULE 15(a)(2)**

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1 The Court's Minute Order at Docket 311 explicitly invited Plaintiff to submit a redline version of
2 the proposed Fifth Amended Complaint ("5AC") to clarify the record. Plaintiff complied with that
3 directive in good faith, submitting not only the requested redline but also a clean version, a sworn
4 declaration, and a preserved procedural notice. At the time of this submission, no judgment had been
5 entered and no order precluded further amendment under Rule 15(a)(2).
6

7
8 **B. The Proposed Amendment is Not Futile and Causes No Undue Delay or Prejudice.**

9 There is no prejudice, as Defendants are already on notice of the 5AC content via the corrected
10 complaint (Dkt. 313) and redline (Dkt. 318), and no scheduling order has been entered nor has
11 discovery begun.
12

13 The 5AC is not futile. It narrows the scope of the pleading, omits previously dismissed parties,
14 and directly addresses deficiencies raised in the pending Fed. R. Civ. P. 12(b)(6) briefings. By
15 providing a clarified operative pleading, the 5AC will allow for a more focused and efficient
16 adjudication on the merits. Furthermore, the amendment will not cause undue delay or prejudice.
17 The case is still at the pleading stage, and discovery has not commenced. The 5AC alleges no new
18 claims that would require a substantial shift in defense strategy or additional discovery. In fact, it
19 addresses alleged deficiencies raised in the Defendant's 12(b)(6) motions, provided to facilitate their
20 understanding and response. It is a consolidation and refinement of existing claims, an act of
21 efficiency, not obstruction. Denying leave on these grounds would elevate form over the function of
22 Rule 15 and would not serve the interests of justice.
23
24
25

26 **C. Granting Leave Promotes Judicial Economy.**
27
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**PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

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1 The parties are currently mired in a procedural dispute over whether Plaintiff properly sought
2 leave to amend. Granting this motion will render that dispute moot and allow the Court and the
3 parties to focus on the substantive legal sufficiency of the operative complaint. This will prevent
4 unnecessary motion practice or unnecessary rulings and allow the case to move forward in an orderly
5 manner, consistent with the goals of Rule 1 of the Federal Rules of Civil Procedure.
6

7 While not dispositive, the Court's directive in Docket 311, to submit a redline of the proposed
8 5AC, functioned as a procedural accommodation suggesting openness to evaluating amendment. To
9 now deny leave would risk punishing Plaintiff for following the Court's invitation in good faith.
10

11 **V. CONCLUSION**

12 For the foregoing reasons, Plaintiff respectfully requests that the Court grant his motion for leave
13 to file the proposed Fifth Amended Complaint., in accordance with the procedural invitation extended
14 in Docket 311 and consistent with the interest of justice under Rule 15(a)(2). Plaintiff respectfully
15 submits that permitting amendment now not only fulfills the spirit of Rule 15(a)(2), but also protects
16 the integrity of this Court's record and ensures that adjudication proceeds on a clarified, fully-briefed
17 operative complaint, consistent with Ninth Circuit and Supreme Court guidance favoring decisions on
18 the merits.
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22 Respectfully submitted,

23 Dated: June 13, 2025
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**PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM



Todd R. G. Hill
Plaintiff, Pro Se

STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1

The undersigned party certifies that this brief contains 1,228 words, which complies with the 7,000-word limit of L.R. 11-6.1.

Respectfully submitted,



June 13, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

Plaintiff's Proof of Service

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service

**PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM

1 through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P.
2
3 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal
4 Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.
5

6 Respectfully submitted,

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10 June 13, 2025
11 Todd R.G. Hill
12 Plaintiff, in Propria Persona
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**PLAINTIFF'S MOTION FOR LEAVE TO FILE FIFTH AMENDED COMPLAINT UNDER
RULE 15(a)(2)**

CASE 2:23-CV-01298-JLS-BFM

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IN PRO PER



**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA,
WESTERN DIVISION**

TODD R. G. HILL, pro se,) Case No.: 2:23-cv-01298-JLS-BFM

Plaintiff(s),) **The Hon. Josephine L. Staton**
Courtroom 8A, 8th Floor

vs.)

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

THE BOARD OF DIRECTORS, OFFICERS
AND AGENTS AND INDIVIDUALS OF THE)
PEOPLES COLLEGE OF LAW; THE GUILD)
LAW SCHOOL, a CALIFORNIA)
CORPORATION doing business as THE)
PEOPLES COLLEGE OF LAW; CHRISTINA)
MARIN GONZALEZ, ESQ.; HECTOR C.)
PENA; ROBERT IRA SPIRO, ESQ.; JUAN)
MANUEL SARINANA, ESQ.; PREM SARIN;)
DAVID TYLER BOUFFARD; JOSHUA)
GILLENS, ESQ.; CLEMENTE FRANCO,)
ESQ.; HECTOR SANCHEZ; PASCUAL)
TORRES, ESQ.; CAROL DEUPREE; GARY)
SILBIGER, ESQ.; EDITH POMPOSO;)
ADRIANA ZUNIGA NUNEZ; ROGER)
ARAMAYO; WILLIAM MAESTAS, ESQ.;)
ISMAEL VENEGAS)

Defendant(s).)

DEMAND FOR JURY TRIAL

Unlimited Civil Case

**[CORRECTED PROPOSED]
FIFTH AMENDED COMPLAINT FOR
DAMAGES, DECLARATORY &
INJUNCTIVE RELIEF ARISING FROM:**

I. CIVIL RICO CLAIM - DAMAGES
UNDER THE RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT
(18 U.S.C. § 1961 et seq.)

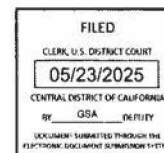
II. VIOLATION OF THE UNRUH CIVIL
RIGHTS ACT (CALIFORNIA CIVIL CODE
§ 51) DISCRIMINATORY CONDUCT
AND DAMAGES

III. NEGLIGENCE AND NEGLIGENCE
PER SE - BREACH OF DUTY
RESULTING IN HARM

IV. NEGLIGENT HIRING, RETENTION,
AND SUPERVISION - FAILURE TO
IMPLEMENT PROPER SAFEGUARDS

NW08-127

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In Propria Persona



**UNITED STATES DISTRICT COURT FOR
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TODD R. G. HILL, et al,

Plaintiffs

vs.

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Defendants.

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The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

**NOTICE OF SUBMISSION OF REDLINE
COMPARISON PURSUANT TO DOCKET
311**

NO ORAL ARGUMENT REQUESTED

NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO DOCKET 311

CASE 2:23-CV-01298-JLS-BFM

**NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO
DOCKET 311**

TO THE HONORABLE COURT AND ALL PARTIES OF RECORD:

Plaintiff respectfully submits this notice and accompanying redline comparison pursuant to the Court's May 22, 2025 Order (Dkt. 311), which directed the submission of a redline version comparing the operative Fourth Amended Complaint to the proposed Fifth Amended Complaint.

I. PROCEDURAL CLARIFICATION REGARDING REFERENCE VERSION

Plaintiff respectfully notes that the redline submitted herewith reflects changes between the operative Fourth Amended Complaint and the Corrected Proposed Fifth Amended Complaint submitted via EDSS on May 22, 2025 (Tracking No. EDS-250522-002-0524). As of the time of this filing, the corrected version has not yet been docketed. However, a supplemental notice (EDSS Tracking No. EDS-250522-002-0533) and corresponding courtesy communications were submitted to chambers and all counsel clarifying that the corrected version constitutes the intended reference point pursuant to the Court's order at Dkt. 311. This clarification was filed and is reiterated here in the interest of judicial economy and to preserve the integrity of the procedural record in light of the Court's scheduling framework.

II. SUBMISSION CHRONOLOGY AND RECORD INTEGRITY MEASURES

Plaintiff submitted his proposed Fifth Amended Complaint after hours on Monday, May 19, 2025, via the Court's Electronic Document Submission System (EDSS). The filing was not docketed until the morning of Thursday, May 22, 2025, as Dkt. 310. Later that same afternoon, the Court issued an in-chambers order (Dkt. 311) requiring Plaintiff to file a redline comparison between the

NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO DOCKET 311

CASE 2:23-CV-01298-JLS-BFM

1 operative Fourth Amended Complaint and the proposed Fifth Amended Complaint no later than
2 Monday, May 26, 2025, Memorial Day, a federal holiday the Court traditionally observes. This
3 sequencing compressed Plaintiff's response window to a practical maximum of two business days. In
4 response, and to avoid any procedural ambiguity, Plaintiff promptly filed a corrected version of the
5 proposed Fifth Amended Complaint the same day (May 22), along with a signed declaration, notice
6 of errata, and a supplemental clarification identifying the corrected version as the intended reference
7 for the redline. These actions were taken to preserve the integrity of the record, ensure compliance
8 with the Court's scheduling order, and preempt any procedural mischaracterization of the operative
9 pleading.

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13 Plaintiff confirms that the redline reflects changes between the operative Fourth Amended
14 Complaint and the corrected Proposed Fifth Amended Complaint, not the version docketed as Dkt.
15 310, which reflected an earlier working draft and included inadvertent references to previously
16 dismissed individuals. The correction was submitted promptly, causes no prejudice to any party, and
17 is consistent with the Court's scheduling order and the interests of judicial efficiency.

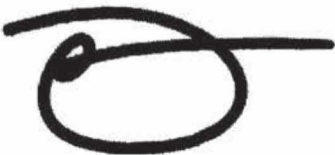
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20 As no party has relied on the originally docketed version and the corrected version remains
21 pending, this notice is submitted to clarify the procedural basis of the redline and to preserve the
22 integrity of the record.
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NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO DOCKET 311

CASE 2:23-CV-01298-JLS-BFM

1 Respectfully submitted,

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3 Dated: May 23, 2025

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8 Todd R. G. Hill
9 Plaintiff, Pro Se

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11
12 **STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1**

13
14 The undersigned party certifies that this brief contains 462 words, which complies with the 7,000-
15 word limit of L.R. 11-6.1.

16 Respectfully submitted,

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20 May 23, 2025
21 Todd R.G. Hill
22 Plaintiff, in Propria Persona

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NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO DOCKET 311

CASE 2:23-CV-01298-JLS-BFM

Plaintiff's Proof of Service

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

Respectfully submitted,



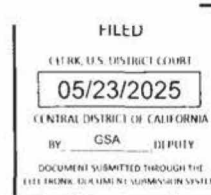
May 23, 2025
Todd R.G. Hill
Plaintiff, in Propria Persona

NOTICE OF SUBMISSION OF REDLINE COMPARISON PURSUANT TO DOCKET 311

CASE 2:23-CV-01298-JLS-BFM

NW08-127

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LAW SCHOOL, a CALIFORNIA)
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PENA; ROBERT IRA SPIRO, ESQ.; JUAN)
MANUEL SARINANA, ESQ.; PREM SARIN;)
DAVID TYLER BOUFFARD; JOSHUA)
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ESQ.; HECTOR SANCHEZ; PASCUAL)
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ARAMAYO; WILLIAM MAESTAS, ESQ.;)
ISMAEL VENEGAS

DEMAND FOR JURY TRIAL

Unlimited Civil Case

**FOURTH [CORRECTED PROPOSED]
FIFTH AMENDED COMPLAINT FOR
DAMAGES, DECLARATORY &
INJUNCTIVE RELIEF ARISING FROM:**

Defendant(s).

- H.I. CIVIL RICO CLAIM - DAMAGES
UNDER THE RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT
(18 U.S.C. § 1961 et seq.)
- H.II. VIOLATION OF THE UNRUH CIVIL
RIGHTS ACT (CALIFORNIA CIVIL CODE
§ 51) DISCRIMINATORY CONDUCT
AND DAMAGES
- H.III. NEGLIGENCE AND NEGLIGENCE
PER SE - BREACH OF DUTY
RESULTING IN HARM

~~IV.~~ IV. NEGLIGENT HIRING, RETENTION,
AND SUPERVISION - FAILURE TO
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I. PREFACE

P1. Pursuant to Federal Rule of Civil Procedure 15(a)(2), Plaintiff respectfully submits this Fifth Amended Complaint to clarify and supplement existing causes of action in light of pending motions to dismiss, without prejudice to the Court's forthcoming ruling on Plaintiff's concurrently pending Federal Rule of Civil Procedure 59(e) motion (Docket 262), which also permits a motion to alter or amend a judgment..

P2. This Fifth Amended Complaint is submitted in response to arguments raised in Defendants' pending motions to dismiss under Federal Rule of Civil Procedure 12(b)(6), without waiver of Plaintiff's position that the operative Fourth Amended Complaint satisfies the notice pleading standard under Rule 8(a). Plaintiff further preserves objections to any application of an improperly heightened pleading burden inconsistent with *Swierkiewicz v. Sorema N.A.*, 534 U.S. 506 (2002); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); and *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544 (2007). Plaintiff also objects to any disregard of the Ninth Circuit's mandate that pro se pleadings be liberally construed, particularly in civil rights actions. See *Hebhe v. Pliler*, 627 F.3d 338, 342 (9th Cir. 2010); *Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

P3. This Fifth Amended Complaint arises from a sustained pattern of academic fraud, regulatory evasion, and retaliatory conduct carried out by Peoples College of Law (PCL), its administrators, and co-conspirators, with the knowledge and passive complicity of the State Bar of California. The conduct described herein includes the manipulation of Plaintiff's academic transcript, obstruction of licensure pathways, and calculated governance failures that harmed Plaintiff's legal education, bar eligibility, and professional prospects.

P4. Plaintiff notes that this complaint is filed while his Rule 59(e) motion remains pending before the Court, challenging prior irregularities including selective docketing and premature dispositive rulings. This complaint is limited to the four operative causes of action currently before

1 the Court and is submitted without waiver of the issues preserved in Plaintiff's Rule 59(c) motion.
2 Plaintiff further preserves his objection to the post-dismissal filing of Docket 308 by the State Bar
3 of California, which was procedurally unauthorized. This amendment is submitted solely to address
4 pending motions and without waiver of claims previously asserted in the Fourth Amended
5 Complaint.
6

7 P5. This amendment is submitted in good faith to promote judicial efficiency and eliminate
8 any ambiguity that might otherwise delay resolution of substantive issues. Plaintiff expressly
9 reserves all rights arising from the procedural posture of the case, including the impact of any
10 irregularities in docketing and premature dispositive rulings on unresolved motions for judicial
11 notice and reconsideration.
12

13 **I.II. IDENTIFICATION OF PARTIES**

14 1. **PLAINTIFF.** Plaintiff Todd R.G. Hill ("Plaintiff" or "Todd") is an African American adult
15 residing in Belton, Texas with an ADA-recognized disability.

16 **2. DEFENDANTS:**

17 3. Peoples College of Law ("PCL") was the dba of the Guild Law School, a non-profit
18 corporation. PCL operated as an unaccredited fixed-facility law school in Los Angeles,
19 California, subject to regulation by the State Bar of California. PCL offered legal education
20 services to in-state and out-of-state students via the Internet until its charter was revoked for
21 protracted non-compliance effective May 31, 2024.

22 3A. The Board of Directors of Peoples College of Law is named herein as a defendant to the
23 extent it acted as a collective decision-making body that authorized, ratified, or failed to
24 intervene in the conduct alleged in this Complaint. Where applicable, Plaintiff seeks relief
25 against both the board as an institutional component of the PCL corporate entity and against its
26 individual members as named defendants in their personal and official capacities.
27
28

- 1 4. Christina Marin Gonzalez, Esq. ("Gonzalez") was the President of PCL and is a PCL
2 graduate.
- 3 5. Hector C. Pena ("Pena") is a PCL graduate and has served as President and Board Treasurer.
- 4 6. Robert Ira Spiro, Esq. ("Spiro") was the Dean of PCL and has served in various roles,
5 including corporate counsel.
- 6 7. Juan Manuel Sarinana, Esq. ("Sarinana") was an adjunct professor and Dean of PCL.
- 7 8. Prem Sarin ("Sarin") based on personal experience and credible report is an individual and
8 PCL graduate who has served as a PCL Board Member from November 2021 and times
9 relevant to this matter.
- 10 9. David Tyler Bouffard ("Bouffard") based on information and belief has served as a PCL
11 Board Member from November 2021 and times relevant to this matter.
- 12 10. Joshua Gillens, Esq. ("Gillins") based on information and belief is an individual and PCL
13 graduate who has served as a PCL Board Member from November 2021 to and times
14 relevant to this matter.
- 15 11. Clemente Franco, Esq. ("Franco") based on information and belief has served as a PCL
16 Board Member from November 2021 to the present and as Treasurer.
- 17 12. Hector Sanchez ("Sanchez") based on information and belief has past served as a PCL
18 Board Member and has engaged in conduct relevant here from November 2021 and times
19 relevant to this matter.
- 20 13. Pascual Torres, Esq. ("Torres") based on credible report is an individual associated with PCL
21 having served as Dean of the law school for a brief tenure in 2022.
- 22 14. Carol Deupree ("Deupree") based on experience and credible report has served as a PCL
23 Board Member from November 2021 and times relevant to this matter.
- 24
- 25
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1 15. Gary Silbiger, Esq. ("Silberger") based on information and belief is a co-founder of PCL
2 who has served as a Board Member at various times from 2018 to the present.

3 16. Edith Pomposo, ("Pomposo") is an individual associated with PCL. Pomposo served as
4 Dean of the law school in 2022.

5 17. Adriana Zuniga Nunez (Zuniga) is an individual associated with PCL in her former capacity
6 as PCL's paid Registrar.

7 18. Roger Aramayo ("Aramayo") is an individual associated with PCL in his capacity as PCL's
8 paid Registrar in 2023.

9 19. William Maestas, Esq. ("Maestas") based on information and belief is a co-founder and
10 graduate of PCL. Maestas has served as a Board Member at various times from at least 2018
11 to the present.

12 20. Ismael Venegas ("Venegas") is an individual associated with PCL in his capacity as PCL's
13 Treasurer based on personal experience and credible evidence.

14
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17
18 **21. STATE BAR, OFFICIALS AND REGULATORY AGENTS:**

19 22. The State Bar of California is a public corporation and state regulatory agency under the
20 jurisdiction of the California Supreme Court, with responsibilities to regulate the practice of
21 law in California and to protect the public by ensuring that attorneys comply with the state's
22 ethical standards. The State Bar, acting as an administrative arm of the state, is responsible
23 for regulating legal education, accrediting law schools, and overseeing the legal profession
24 in California. The following individuals are current or former employees or affiliates of the
25 State Bar of California ("State Bar"), not named as Defendants, but identified as persons
26
27
28

1 with knowledge or involvement through communications, documentation, or organizational
2 privity:

3 23. Natalie Leonard ("Leonard") is an active licensee and Principal Program Analyst at the State
4 Bar of California, responsible for law school regulation and was the primary contact for PCL
5 compliance issues.

6 24. Leah Wilson, Esq. ("Wilson") is an active licensee and individual employed as the Executive
7 Director of the State Bar.

8 25. Audrey Ching ("Ching") is an active licensee and Director of the Office of Admissions of
9 the State Bar and is responsible for law school regulation and staff oversight.
10

11
12 **H.III. BASIS FOR JURISDICTION AND VENUE**

13 26. This action arises under the Racketeer Influenced and Corrupt Organizations Act (RICO), 18
14 U.S.C. §§ 1961-1968, and supplemental jurisdiction is invoked over related state-law
15 claims pursuant to 28 U.S.C. § 1367.

16 27. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question
17 jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction). Additionally, jurisdiction is
18 proper under 28 U.S.C. § 1332 (diversity jurisdiction) because Plaintiff Todd Hill is
19 currently a resident and citizen of the State of Texas, while Defendants predominantly reside
20 and conduct business within the State of California, creating complete diversity among the
21 parties.
22

23 27A. Plaintiff affirms that jurisdiction is properly asserted under 28 U.S.C. § 1331, as the claims
24 arise under federal law, including the Racketeer Influenced and Corrupt Organizations Act
25 (RICO), 18 U.S.C. §§ 1961-1968, and 42 U.S.C. § 1983. Pendant state law claims fall within
26 the Court's supplemental jurisdiction under 28 U.S.C. § 1367(a).
27
28

1 Notably, Defendants' objection based on a purported lack of complete diversity under 28
2 U.S.C. § 1332 is inapposite. While Plaintiff does not rely on diversity jurisdiction, there is no
3 evidence before the Court establishing that complete diversity does not exist. As such, even if
4 federal question jurisdiction were not dispositive, diversity jurisdiction is not affirmatively
5 barred.

6 Regardless, because Plaintiff's claims arise under federal statutes and involve questions of
7 federal law, jurisdiction is properly conferred under § 1331.

8 28. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because many of the events
9 or omissions giving rise to the claims occurred in this District, and the Defendants are
10 predominantly located within this judicial district.

11 **III.IV. TERMINOLOGY AND DEFINITIONS**

12 29. "The Board of Directors" refers to the governing body of the Peoples College of Law,
13 responsible for overall management and strategic direction.

14 30. "Officers" refers to individuals holding executive positions within the institution, including
15 roles such as President, Dean, and other senior administrators.

16 31. "Agents of the Peoples College of Law" encompasses individuals or entities acting on behalf
17 of or under the institution's authority, including faculty, staff, and contractors.

18 **IV.V. STATE BAR REGULATORY POSTURE LIMITED STUDENT** 19 **RECOURSE**

20 32. **State Action and Role Under Color of Law:** At all times relevant to this action, the **State**
21 **Bar of California** was acting under color of state law. As a state entity, its employees,
22 agents, and officers—acting in their official and personal capacities—participated in
23 decisions and actions that directly affected Plaintiff's legal education and career progression.

1 33. The State Bar of California operates under a "non-interference" policy in student disputes
2 with law schools, as outlined in Guideline 1.6 of the Guidelines for Unaccredited Law
3 School Rules (GULSR+). As early as December 10, 2021, the State Bar communicated its
4 'non-interference' policy to Todd, stating that it did not intervene in disputes between
5 students and their law schools.

6
7 33A. Plaintiff has statutory standing under 18 U.S.C. § 1964(c) because he has suffered injury to
8 business and property by reason of the defendants' pattern of racketeering activity. He also
9 alleges injury under the Bane Act (Cal. Civ. Code § 52.1) based on coercive and retaliatory
10 conduct designed to chill his exercise of civil rights protected under federal and state law.

11
12 **V.VI. PCL'S PERSISTENT NON-COMPLIANCE AND EXPLOITATIVE**
13 **PRACTICES**

14 34. PCL was the owner of the property located at 660 N. Bonnie Brae in Los Angeles, CA, held
15 in fee simple absolute ownership and full control over the premises, as confirmed by
16 property records for all times relevant to this cause of action.

17 35. From at least 2017, PCL has been engaged in a pattern of non-compliance with State Bar
18 regulations related to record-keeping, grading, attendance policies, and scholastic standards.
19 This pattern was documented during the January 2020 inspection conducted by Heather
20 Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (CBE),
21 which identified numerous deficiencies including PCL's failure to accurately maintain
22 student attendance records, reliance on unauthorized grading practices, and inadequate
23 measures to ensure the integrity of student work. The inspection also revealed PCL's lack of
24 sufficient administrative capacity to achieve compliance with CBE standards due to
25 inconsistent record-keeping and inadequate policies for grade review and advancement.
26
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1 36. PCL collected tuition from students, including Plaintiff, without compensating instructors,
2 who were induced to provide their services under representations that their efforts would
3 support a social justice-oriented, non-profit law school. Despite this representation, PCL
4 actively recruited students from underrepresented communities, targeting individuals from
5 disadvantaged backgrounds with limited access to legal services. The school's marketing,
6 including statements on its website, emphasized advocacy for marginalized groups, while
7 concurrently failing to address the institutional deficiencies identified by the CBE inspection
8 and other grievances submitted by students.
9

10 37. After Plaintiff successfully passed the First-Year Law Students' Examination (FYLSX) in
11 June 2020, he received transcripts from PCL that contained numerous errors, including
12 incorrectly calculated class unit awards and missing required information. Despite Plaintiff's
13 repeated efforts to rectify these errors and ensure compliance with State Bar regulations, his
14 efforts were obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard. On July 8, 2022,
15 despite Plaintiff's good academic standing, Defendant Spiro, on behalf of PCL, informed
16 Plaintiff that PCL would not provide the required fourth-year courses necessary for him to
17 graduate. The delay in Plaintiff's education occurred while PCL continued to solicit tuition
18 payments and present itself as compliant with State Bar standards.
19

20 38. PCL's adherence to a non-compliance policy that discouraged student grievances from
21 reaching external regulatory bodies is further demonstrated by its administration's
22 introduction of retroactive rules aimed at students who attempted to file complaints. Todd
23 Hill received an email from student Kevin Clinton on March 21, 2022, indicating ongoing
24 issues with grade uploads and administration's refusal to rectify transcript errors.
25 Additionally, proposed PCL Student Handbook provisions discouraged or prohibited
26 students from directly contacting the State Bar with complaints, instead funneling concerns
27
28

1 through internal channels. This policy change was intended to silence student grievances and
2 prevent external regulatory scrutiny. (See Exhibit 4 - Email Exchange from Kevin Clinton
3 Indicating Grade Upload Issues, March 21, 2022).

4 39. PCL continued to operate despite documented grievances and inspection reports detailing its
5 persistent non-compliance with State Bar regulations. The school's practices, including the
6 solicitation of tuition payments while failing to comply with mandated record-keeping,
7 grading standards, and administrative policies, reflect ongoing disregard for established
8 regulations. PCL administrators, including Defendants Spiro, Pena, and Bouffard, engaged
9 in improper financial practices by making repeated and unlawful tuition demands, as
10 evidenced by emails related to tuition charges and collections dated March 2022. For
11 example, Defendant Bouffard demanded payment for tuition despite Plaintiff's pre-existing
12 financial agreements allowing credits against tuition charges and State Bar policies
13 prohibiting fee collection from non-compliant institutions. These communications
14 demonstrate an ongoing pattern of fraudulent billing and coercive tactics aimed at extracting
15 tuition payments from students. (See Exhibit 5 - March 2022 Email Related to Unlawful
16 Tuition Charges and Collection).

17 40. Despite PCL's long-standing non-compliance, the school expanded its class size without
18 addressing existing deficiencies, exacerbating disparities in academic support and
19 administrative oversight. PCL's recruitment of out-of-state students attending remotely,
20 failure to provide proper and timely disclosures, maintenance of inaccurate records, and
21 misrepresentation of its compliance status all contributed to a cycle of failure
22 disproportionately affecting African American students. PCL's failure to comply with Rule
23 2.3(D) and Rule 9.1 regarding oversight of record-keeping processes directly impacted
24
25
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1 Plaintiff's ability to transfer or receive accurate transcripts, thereby obstructing his
2 educational progress.

3 41. PCL's failure to provide necessary academic resources, maintain accurate records, and
4 ensure compliance with educational standards disproportionately harmed African American
5 students. The school's attrition rate for African Americans exceeded 90% since at least 2017,
6 with fewer than 1 in 10 entrants ultimately receiving a degree. This was exacerbated by
7 PCL's decision to expand enrollment without addressing existing compliance deficiencies.

8 42. Based on State Bar and PCL documents, as early as 2017 and unbeknownst to Plaintiff at
9 time of matriculation PCL's failure to timely report, provide or maintain accurate records
10 resulted in ongoing non-compliance with State Bar rules and guidelines. (See Exhibit 5).

11 43. In the Fall of 2019, Plaintiff enrolled at PCL, an unaccredited fixed-facility law school in
12 Los Angeles, California with the goals of earning a Juris Doctorate, preparing to sit for the
13 bar exam and embarking on a new career.

14 44. Plaintiff paid application fees and tuition through checks, ACH bank or wire transfers or
15 through money transfer services such as Zelle.

16 45. On credible report and belief, Todd was one of five African Americans in his 1L class; two
17 males and three females, in a cohort of 22.

18 46. The State Bar Act of 1927 established the State Bar's regulatory authority and scope of its
19 duties. The State Bar Act is codified in the California Business & Professions Code Div. 3 -
20 Professions and Vocations Generally, Ch. 4 - Attorneys (Bus. & Prof. Code 6000 et seq.).
21 The plaintiff believes on credible report that the State Bar rules and guidelines are
22 regulations for purposes of Government Code 11342.600 and govern the operation of
23 unaccredited law schools.

24 47. State Bar conducted an inspection of PCL in January of 2020.
25
26
27
28

- 1 48. The 2020 Inspection Report, prepared by Heather Georgakis, Educational Standards
2 Consultant to the Committee of Bar Examiners (CBE), outlined numerous areas of non-
3 compliance by Peoples College of Law (PCL) with the Unaccredited Law School Rules.
4 Conducted from January 14–16, 2020, the inspection identified deficiencies related to
5 recordkeeping, scholastic standards, attendance policies, and grading procedures. Among
6 other issues, the report noted the failure of PCL to accurately maintain student attendance
7 records, reliance on unauthorized grading practices, and inadequate measures to ensure the
8 integrity of student work. Additionally, the inspection revealed PCL's lack of sufficient
9 administrative capacity to achieve compliance with CBE standards, as evidenced by
10 inconsistent record-keeping and inadequate policies for grade review and advancement.
11 Despite efforts by PCL to remedy some issues, the report underscores the persistent
12 challenges facing the institution, particularly in maintaining accurate records, ensuring
13 compliance with state regulations, addressing academic administrative deficiencies and
14 meeting basic regulatory requirements.
15
16
17 49. Plaintiff was subsequently elected to serve on the Community Board and served as Secretary
18 of the College.
19
20 50. In June 2020, Plaintiff was one of two PCL students, and the only African American in his
21 cohort, to successfully pass the First-Year Law Students' Examination (FYLSX).
22
23 51. After passing the FYLSX, Plaintiff received copies of his transcripts, which contained
24 numerous errors, including incorrectly calculated class unit awards and missing required
25 information.
26
27 52. On May 7, 2021, PCL's Board, including Dean Ira Spiro and Board President Christina
28 Gonzalez, holds a fundraiser, promising that "100% of proceeds" will be used for student
needs. However, subsequent internal communications reveal that funds were diverted for

1 unrelated purposes. (See Exhibit 8 email exchange between Spiro, Pena and Gonzalez,
2 detailing the "Donor Call Squad" and fundraising-related activities.)

3 53. In June 2021, a formal grievance was submitted to the PCL Board of Directors by a first-
4 year law student (1L), Nancy Popp.

5 54. The grievance detailed concerns about the school's operations, including inaccurate grading,
6 lack of transparency in governance, and inconsistent instruction. It also highlighted failures
7 to comply with the California State Bar's Guidelines for Unaccredited Law Schools.

8 55. This grievance letter was shared with the State Bar as part of its ongoing review of PCL's
9 compliance.

10 56. On August 2, 2021, Spiro sends an email to the PCL Board stating the State Bar instructed
11 him not to retroactively change unit allocations on transcripts without CBE approval.

12 57. On August 3, 2021, Spiro emails Leonard confirming their conversation about PCL's unit-
13 credit issue. Leonard does not issue a school-wide clarification.

14 58. Plaintiff requested immediate assistance from the State Bar, as student and officer of PCL, in
15 reliance on their statutory mandate, status as monopoly regulator and public DEI statements.

16 59. October 4–15, 2021, Plaintiff is elected to the PCL Board through a community vote. Peña
17 challenges the legitimacy of Hill's candidacy, initiating a questionable review process.

18 60. **Retaliatory Governance Actions and Institutional Mismanagement:** On November 14,
19 2021, Christina Gonzalez, President of the PCL Board of Directors, submitted her
20 resignation letter, attributing her resignation to discord allegedly caused by Plaintiff Todd
21 Hill. Gonzalez's letter reflects internal animus and efforts by PCL's leadership to
22 marginalize Plaintiff's influence within the institution. This letter is attached as part of
23 Exhibit 8.
24
25
26
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28

1 **61. Notice of Board Meeting and Governance Manipulation:** On November 21, 2021,

2 Christina Gonzalez sent an email titled "PCL Notice - Board Meeting November 21, 2021"
3 announcing a PCL Board meeting. This email was sent just days after her resignation letter,
4 evidencing continued institutional discord and an attempt to reassert control over PCL's
5 governance structure in response to Plaintiff's advocacy efforts. This email, along with the
6 attached resignation letter, further demonstrates a pattern of retaliatory conduct aimed at
7 undermining Plaintiff's ability to participate meaningfully in PCL's governance. This email
8 is attached as part of Exhibit 8.
9

10 **62. Blocking Access to Class (March 15, 2022):** On March 15, 2022, PCL student and

11 purported board member Sarin, acting under the direction of Bouffard, who claimed to be
12 acting under the authority of then PCL President Peña, actively prevented Plaintiff from
13 accessing his classes by blocking his Zoom access. This action occurred following a series
14 of emails regarding tuition disputes and class access issues. (See Exhibit 8 - Emails related
15 to class access and tuition disputes dated March 10, 2022, and March 14, 2022.).
16

17 **63. Failure to Provide Required Fourth-Year Curriculum:** On June 7, 2022, Todd Hill

18 formally notified PCL, via email to Dean Spiro and the Board, that the school was failing to
19 provide the mandated fourth-year (4L) curriculum of 270 instructional hours necessary for
20 his graduation. PCL's failure to comply with its promises caused delays in Hill's academic
21 progress.
22

23 **64.** On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,

24 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses
25 necessary for him to graduate.

26 **65.** On July 20, 2022, the State Bar issued a formal Notice of Noncompliance to PCL, detailing
27 18 specific violations of the Rules for Unaccredited Law Schools.
28

1 66. On August 31, 2022, PCL belatedly submitted an application for Plaintiff's Special
2 Circumstance Exemption to the State Bar. However, Dean Spiro intentionally withheld
3 Plaintiff's medical disability records and information related to PCL's alleged misconduct,
4 despite Plaintiff having provided information for the purpose of supporting his petition. This
5 act of concealment resulted in the denial of the application, thus exacerbating the injury to
6 Plaintiff.
7

8 67. On September 1, 2022, Natalie Leonard of the State Bar formally denied Plaintiff's Special
9 Circumstance Exemption request, citing insufficient documentation. Leonard's response did
10 not consider Plaintiff's disability or the misconduct of PCL and Spiro in failing to submit the
11 necessary materials.
12

13 68. In December 2022, The Committee of Bar Examiners (CBE) places PCL on probation,
14 requiring monthly reports on compliance improvements.
15

16 69. In December 2022, Plaintiff filed a Government Claims Act Form ("GCAF") obtained from
17 the State Bar's web site with copies of a draft complaint. No response was received.
18

19 70. On March 22, 2023, a letter from PCL Dean Pomposo acknowledging PCL's violation of
20 Rule 4.241 promised refunds to affected students, but failing to follow through.
21

22 71. PCL's Ultimate Closure Due to Non-Compliance: On May 31, 2024, PCL's charter to
23 operate as a law school was permanently revoked due to longstanding and intractable
24 noncompliance. PCL was forced to shut down. While this validated Hill's allegations about
25 PCL's unfitness, it caused significant personal harm, as his alma mater ceased to exist,
26 complicating his ability to obtain his degree or finalize his education.
27

28 72. On August 13, 2024, Plaintiff submitted an additional GCAF for which response was
received September 6, 2024, for damages related to this complaint.

1 72A. Plaintiff has satisfied all applicable notice requirements under the California Government
2 Claims Act. Plaintiff filed a Government Claims Form ("GCAF") with the State Bar on or about
3 August 13, 2024, and received a formal rejection letter dated September 6, 2024. Plaintiff also
4 submitted prior written notices in December 2022 and June 2023. The State Bar's response of
5 "no prior record" evidences a breakdown in record-keeping and does not negate constructive
6 notice. (See Exhibit 8.)

7
8 73. On August 18, 2023, The Committee of Bar Examiners directs PCL to conduct a
9 comprehensive transcript analysis and provide proof of compliance.

10
11 **VI.VII. OBSTRUCTION OF PLAINTIFF'S ACADEMIC PROGRESS**
12 **THROUGH RECORD MANIPULATION**

13 74. Plaintiff registered with the State Bar as a student, paid the requisite state administration
14 fees, and excelled in his studies, maintaining good academic standing throughout his
15 enrollment.

16 75. After passing the FYLSX, Plaintiff received copies of transcripts with many errors,
17 including incorrectly calculated class unit awards and missing required information. Plaintiff
18 promptly informed defendants of these errors and sought to rectify them to ensure
19 compliance with statute and State Bar regulations, but his efforts were consistently
20 obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard. A true and accurate copy of
21 relevant transcripts and accompanying correspondence are attached as Exhibit 1.

22 76. Defendant Spiro, acting on behalf of PCL, knowingly engaged in misrepresentations
23 regarding Plaintiff's tuition payments and credit arrangements. Specifically, on January 9,
24 2020, Defendant Spiro approved Plaintiff to work up to 40 hours at \$15 per hour from
25 January 4 to January 13, with a maximum gross pay of \$600. Defendant Spiro indicated that
26
27
28

1 Plaintiff could credit this amount against his tuition but required Plaintiff to provide written
2 approval for such an arrangement.

3 77. Despite Plaintiff's compliance, subsequent email exchanges revealed inconsistencies in
4 Defendant Spiro's accounting, ultimately resulting in Plaintiff being overcharged by
5 approximately \$2,400. Plaintiff's efforts to clarify these discrepancies were met with further
6 obstruction.

7
8 78. On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,
9 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses
10 necessary for him to graduate. Todds originally expected graduation date of May 2023 is
11 now delayed until May 2025, a two-year delay. From 2019 until now, as of the filing of this
12 Fourth Amended Complaint, Plaintiff has never possessed an accurate transcript or law
13 degree, despite completing PCL's academic program.

14
15 79. On May 31, 2024, The California State Bar revokes PCL's charter due to protracted non-
16 compliance, effectively shutting down the school.

17
18 **~~VII.~~ VIII. STATE BAR'S FAILURE TO ENFORCE COMPLIANCE
DESPITE AWARENESS OF VIOLATIONS**

19 80. As part of their gatekeeping function, State Bar Admissions staff, including Wilson,
20 Leonard, and Ching, were likely aware of PCL's record compliance issues before Plaintiff
21 matriculated because the State Bar requires student transcripts to be submitted to verify
22 eligibility prior to taking the FYLSX. Plaintiff made repeated attempts to rectify the errors
23 and engage the State Bar.

24
25 81. The State Bar was also on notice of the disparate outcomes at PCL and in the legal education
26 marketplace, as evidenced by the 2023 State Bar report entitled, "Profiling the Outcomes on
27 the FYLSX, a true and accurate copy obtained from the State Bar's website as Exhibit 3 and
28

1 the true and accurate copy of the formal grievance filed by Nancy Popp at Exhibit 2. Despite
2 this knowledge, the State Bar failed to take meaningful action to address these issues,
3 thereby emboldening and perpetuating PCL Defendant's pattern of disregard for educational
4 standards and student welfare that predates Plaintiff's enrollment in 2019.

5
6 82. The State Bar's 2023 report, 'Profiling the Outcomes of the FYLSX' (Exhibit 3), established
7 that prolonged education timelines significantly reduce the likelihood of bar passage,
8 particularly for African American males. Approximately nine in one hundred African
9 American males who complete their first year at schools like PCL pass the FYLSX,
10 resulting in a persistent ninety-one percent failure rate. PCL's deliberate obstruction of
11 Plaintiff's educational progress, including delayed graduation and inaccurate records, has
12 directly harmed his chances of passing the bar exam.

13
14 83. This ongoing non-compliance has resulted in PCL's greater than 90% attrition rate for
15 African Americans since at least 2017, with fewer than 1 in 10 entrants ultimately receiving
16 a degree even though PCL had a duty to vet candidates prior to matriculation.

17
18 **VIII.IX. FRAUDULENT REPRESENTATIONS AND MANIPULATION**
OF STUDENT RECORDS

19 84. Defendant Spiro, acting on behalf of PCL, knowingly engaged in misrepresentations
20 regarding Plaintiff's tuition payments and credit arrangements. Specifically, on January 9,
21 2020, Defendant Spiro approved Plaintiff to work up to 40 hours at \$15 per hour from
22 January 4 to January 13, with a maximum gross pay of \$600. Defendant Spiro indicated that
23 Plaintiff could credit this amount against his tuition but required Plaintiff to provide written
24 approval for such an arrangement. Despite Plaintiff's compliance, subsequent email
25 exchanges revealed inconsistencies in Defendant Spiro's accounting, ultimately resulting in
26
27
28

1 Plaintiff being overcharged by approximately \$2,400. Plaintiff's efforts to clarify these
2 discrepancies were met with further obstruction.

3 85. PCL's practices, including manipulation of academic records and denial of necessary
4 educational resources, disproportionately harmed African American students, including
5 Plaintiff. Statistical evidence demonstrates that African American students at PCL
6 experienced significantly lower graduation and bar passage rates, akin to the
7 unconstitutional segregation addressed in *Keyes v. School District No. 1*, 413 U.S. 189
8 (1973).
9

10
11 **IX.X. FAILURE TO DISCLOSE NON-COMPLIANCE AND MISLEADING**
12 **REPRESENTATION OF ACCREDITATION**

13 86. PCL failed to adhere to State Bar regulations by enrolling out-of-state students attending
14 remotely and failing to provide proper and timely disclosures as required under Rule 2.3(D).
15 PCL also maintained inaccurate records and misrepresented its compliance status, impeding
16 Plaintiff's ability to transfer or receive accurate transcripts, thereby obstructing his
17 educational progress. Despite its already limited capacity to provide adequate educational
18 resources to students, PCL expanded its class size without addressing pre-existing
19 deficiencies, which further exacerbated disparities in academic support and administrative
20 oversight. This expansion disproportionately impacted African American students, whose
21 graduation and bar passage rates were already lower due to PCL's non-compliance.
22 Furthermore, PCL's failure to comply with Rule 9.1, which mandates accurate record-
23 keeping and administrative procedures, directly harmed Plaintiff by preventing him from
24 timely transferring or pursuing further educational opportunities.
25

26 87. PCL did not disclose its non-compliance with State Bar regulations, including the improper
27 awarding of units, which prevented students from initial informed decision making or later
28

1 transfer to other law schools or timely qualifying for federal financial aid. (See Exhibit
2 201A, previously filed accompanying a request for judicial notice at ECF 102, p. 9-10)

3
4 **– FIRST CAUSE OF ACTION –**

5 **RICO CLAIM: DAMAGES UNDER THE VIOLATION OF THE**
6 **RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT**
7 **(18 U.S.C. §1962(c))**

8 **(Sarinana, Bouffard, Viramontes, Pena, Spiro, Gillens, Gonzalez, Torres, Aramayo, Sanchez,**
9 **Zuniga, Maestas, Franco)**

10 **88. Summary:**

11 Plaintiff brings this RICO cause of action under 18 U.S.C. § 1962(c), which prohibits any
12 person employed by or associated with an enterprise engaged in or affecting interstate
13 commerce from conducting or participating in the enterprise's affairs through a pattern of
14 racketeering activity. The statutory elements required for a valid RICO claim under § 1962(c)
15 are: i. The existence of an enterprise; ii. The enterprise engaged in or affected interstate
16 commerce; iii. The defendant's participation in the enterprise's affairs; iv. The defendant's
17 participation was through a pattern of racketeering activity; and v. The plaintiff suffered injury
18 to business or property by reason of the racketeering activity.

19 **89. Adherence to Rule 9(b) Standards:**

20 Plaintiff's Fourth Amended Complaint adheres to the heightened pleading standards
21 required for RICO claims involving allegations of fraud. Each predicate act, including wire and
22 mail fraud, systematic misrepresentation, obstruction of justice, and financial exploitation, is
23 detailed with specificity to identify the actors, dates, methods, and fraudulent statements made.
24 These allegations are described with particularity in Paragraphs 33-84, which collectively
25 establish a pattern of racketeering activity carried out through the enterprise.
26

27 **90. Predicate Acts Establishing Racketeering Activity:**

1 The pattern of racketeering activity is substantiated by specific fraudulent acts, including:

- 2
- 3 a. The dissemination of falsified transcripts through email and mail systems between 2019 and
- 4 2023 by Defendants Spiro, Pena, Sarinana, Bouffard, and others.
- 5 b. The misrepresentation of PCL's accreditation status and institutional compliance to students
- 6 and donors via email communications.
- 7 c. The obstruction of Plaintiff's ability to transfer through the manipulation of transcript
- 8 records.
- 9 d. Coercive billing practices employed to extract tuition payments under false pretenses. The
- 10 details of these predicate acts are provided in Paragraphs 33, 35, 37, 38, 41, and 42.
- 11

12 91. Pattern of Racketeering Activity:

13

14 Defendants engaged in a continuous pattern of racketeering activity involving multiple

15 predicate acts of mail fraud (18 U.S.C. § 1341) and wire fraud (18 U.S.C. § 1343) over a period

16 exceeding two years. These acts were committed with the common purpose of defrauding

17 students, obstructing justice, and suppressing evidence of institutional deficiencies. The conduct

18 was systematic, continuous, and directed at maintaining control over PCL's operations through

19 deceptive and coercive practices.

20

21 92. Incorporation of Allegations:

22

23 Plaintiff re-alleges and incorporates by reference each allegation contained in Paragraphs 33-84,

24 focusing on the facts that demonstrate the pattern of racketeering activity, including wire and

25 mail fraud (see ¶¶ 33, 35, 37, 38, 41, 42, 76, 84), systematic misrepresentation and fraudulent

26 schemes (¶¶ 33-40, 42-44, 46-57, 76, 84), institutional failure and facilitated fraud (¶¶ 35, 37,

27 39, 41, 43, 46, 47, 49-57, 76, 84), and the financial and emotional damages suffered by the

28

1 Plaintiff as a direct result (see ¶¶ 33-84, 76, 84). Because the fraudulent actions were carried out
2 through electronic communications and postal services, they are alleged to meet the definition
3 of predicate acts under RICO.
4

5 93. Enterprise Definition and Structure:

6 Plaintiff alleges that Defendants, including but not limited to The Peoples College of Law
7 (PCL) Board of Directors, Spiro, Pena, Bouffard, Gonzalez, Torres, Aramayo, Sanchez, Zuniga,
8 Maestas, Franco, Gillens, and Viramontes, operated as an associated-in-fact enterprise under 18
9 U.S.C. § 1961(4). The enterprise functioned with a hierarchical structure in which Defendants
10 exercised control over PCL's educational, administrative, and financial operations. The common
11 purpose of the enterprise was to maintain control over PCL through fraudulent practices,
12 including falsifying academic records, obstructing student progress, and retaliating against
13 individuals who exposed misconduct. This enterprise operated continuously from at least 2020
14 to the present.
15
16

17
18 94. Intentional Avoidance of Accountability:

19 Defendants engaged in a pattern of conduct aimed at avoiding accountability and frustrating
20 proper oversight. This conduct was facilitated by the State Bar's documented refusal to
21 intervene in student disputes and PCL's manipulation of enrollment practices to perpetuate
22 fraudulent billing and transcript management. Defendants knowingly utilized deceptive
23 practices to continue collecting tuition and avoid regulatory scrutiny.
24

25
26 95. Financial Exploitation Scheme:

27 PCL engaged in a scheme designed not only to defraud students through fraudulent
28 academic practices but also to misappropriate funds through financial exploitation. Despite

1 minimal operational costs, PCL collected substantial tuition payments and solicited donations
2 under false pretenses, funneling funds into an opaque structure devoid of proper oversight. This
3 arrangement strongly suggests that the scheme was also aimed at misappropriating funds rather
4 than providing the educational services promised to students. The fraudulent collection of funds
5 is detailed in ¶¶ 37, 40, 41, 48, 50, 52, 56, 65, and 66.

6
7
8 96. Targeting of Vulnerable Populations:

9 PCL knowingly recruited students from economically disadvantaged and underrepresented
10 backgrounds under the pretense of providing affordable, social-justice-oriented legal education.
11 Despite its obligations to provide adequate support, PCL expanded enrollment without
12 addressing record-keeping deficiencies, grade inflation, or administrative failures. The attrition
13 rate for African American students exceeded 90% since 2017, illustrating the predatory nature of
14 the scheme. These allegations are supported by the facts detailed in Paragraphs 37, 41, 42, and
15 85.
16

17
18 97. Institutional Non-Compliance:

19 PCL's pattern of non-compliance with State Bar regulations dates back to 2017, as
20 evidenced by the 2020 Inspection Report and subsequent probationary periods. Defendants'
21 failure to maintain accurate records, provide adequate disclosures, and comply with Rule 4.241
22 and California Business and Professions Code § 6061 reflects deliberate and prolonged
23 disregard for regulatory standards. Defendants' conduct is further detailed in Paragraphs 36, 40,
24 43, 46, 48, 56, 65, and 66.
25

26
27 98. Preferential and Discriminatory Treatment:
28

1 Defendants engaged in selective and prejudicial treatment of students. For example, Spiro
2 provided prompt corrections for Nancy Popp's transcripts but intentionally delayed or refused
3 corrections for Plaintiff's transcripts despite repeated requests. This discriminatory handling of
4 records obstructed Plaintiff's academic progress and resulted in financial and emotional harm.

5
6 99. Evidence Supporting Fraudulent Scheme:

7
8 Evidence of PCL's manipulation and misrepresentation of compliance is supported by: (a)
9 multiple versions of erroneous transcripts (Exhibit 1); (b) the State Bar's investigative reports
10 and press releases (Exhibits 201A and 201B); (c) student accounts or complaints, including
11 correspondence from Plaintiff and other students to PCL leadership (Exhibits 3 & 4); (d)
12 statements by Defendants, such as Spiro's June 8, 2022 email to the State Bar asserting
13 compliance (Exhibit 6); and (e) planning improper elections and likely unlawful ousting of PCL
14 members (Exhibit 7). The totality of this evidence supports Plaintiff's RICO claims by
15 establishing a pattern of fraudulent conduct and manipulation of academic records designed to
16 obstruct Plaintiff's educational progress and harm his professional prospects.

17
18
19 99A. . Particularity of Fraud: Plaintiff pleads fraud with particularity under Rule 9(b).

20 Specific misrepresentations include:

21 (a) issuance of intentionally inaccurate transcripts on August 3, 2021 by Spiro (Exhibit A);

22 (b) false representation of compliance by Spiro in his June 8, 2022 letter to the State Bar
23 (Exhibit 6);

24 (c) knowingly withheld documentation in support of Plaintiff's disability exemption (August–
25 September 2022);

26 (d) misrepresentations by Leonard in denying transcript accuracy and PCL compliance despite
27 internal knowledge (June 17, 2022, Exhibit A);
28

1 (e) wire fraud committed by Viramontes and Sanchez by disseminating misleading performance
2 and pass rate statistics (2021–2023, Exhibit C).

3 These acts occurred through U.S. mail and electronic communication, and each act is tied to
4 specific dates, individuals, and communications.

5
6 100. Violation of Unaccredited Law School Rules:

7 According to State Bar reports, Defendants continuously or repeatedly violated the 2008
8 through 2022 Guidelines for Unaccredited Law School Rules, including Rules 4.240, 4.241, and
9 4.242. These violations include failing to maintain accurate records, submit required reports, and
10 provide adequate disclosure statements to students. The deliberate manipulation of institutional
11 compliance protocols further underscores the Defendants' fraudulent intent.

12
13 101. Coordination of Fraudulent Scheme:

14 Defendants coordinated a scheme through Peoples College of Law ('PCL') to
15 intentionally manipulate academic records, knowingly misrepresent institutional
16 accreditation status, systematically delay degrees, and obstruct students' transfers.

17 Defendants' scheme involved multiple instances of mail and wire fraud to induce continued
18 enrollment and tuition payments from students, particularly exploiting African American
19 students, including Plaintiff. Plaintiff relied on these misrepresentations to his significant
20 financial and professional detriment.

21
22 102. Pattern of Racketeering Activity from 2019 to 2024:

23 From at least May 2019 to May 31, 2024, Defendants engaged in a continuous pattern of
24 racketeering activity that included: i. Wire and mail fraud by disseminating false information
25 about PCL's bar passage rates, compliance status, and instructional offerings; ii. Extortion by
26 threatening to deny services or withhold academic credentials unless additional payments were
27 made; iii. Unreasonable restraint of trade by awarding improper academic credits to discourage
28

1 transfer to other institutions; iv. Violations of State Bar Act §6001.1 by failing to recuse from
2 administrative decisions involving direct conflicts of interest; v. Breaches of fiduciary duty and
3 knowingly providing false assurances of compliance and withholding accurate academic
4 records; vi. Violations of civil or constitutional rights by discriminating against students based
5 on protected characteristics.

6
7 103. Defendants as RICO Persons:

8 At all relevant times, the Defendants were and are “persons” within the meaning of 18
9 U.S.C. § 1961(3) and § 1962(c)-(d). The enterprise comprised both natural persons and entities
10 operating collectively to further a fraudulent scheme.

11 104. Definition of Defendants:

12 The term “Defendants” refers to all named natural persons listed below the caption for this
13 First Cause of Action. Each Defendant acted individually and collectively to participate in the
14 racketeering enterprise described herein.

15
16 105. Participation in Racketeering Activity:

17 The natural persons named as Defendants are alleged to have participated in a pattern of
18 racketeering activity through direct acts of fraud, obstruction of justice, and systematic
19 misrepresentation, which collectively caused injury to Plaintiff’s business and property.

20 106. Facilitation of Fraudulent Conduct by the State Bar:

21 The State Bar’s documented refusal to enforce its own guidelines, coupled with PCL’s
22 inducement of instructors to provide unpaid services under false pretenses, facilitated a
23 continuous pattern of fraudulent conduct. PCL collected tuition from students under the guise of
24 providing a legitimate legal education while knowingly failing to meet statutory requirements.

25
26 107. Specific Predicate Acts:

1 Defendants Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Viramontes, and Sanchez
2 actively participated in or facilitated multiple predicate acts, including transmitting falsified
3 academic transcripts electronically on August 3, 2021, and making false representations
4 regarding PCL's compliance or accreditation status between 2021 and 2023. These actions were
5 carried out to maintain false accreditation status, thereby securing continuous tuition payments
6 and donations while avoiding regulatory scrutiny.
7

8 108. Establishment of RICO Enterprise:

9 From approximately 2019 through 2024, Defendants knowingly engaged in a pattern of
10 racketeering activity involving multiple acts of mail and wire fraud by misrepresenting
11 academic credit hours, institutional compliance, and instructional offerings. These fraudulent
12 activities were designed to maintain PCL's revenue stream and impede students' efforts to
13 transfer or obtain legitimate credentials.
14

15 109. Use of PCL as Instrument of Fraud:

16 Defendants operated the RICO Enterprise through PCL, utilizing its institutional
17 infrastructure and communications systems to facilitate predicate acts. The enterprise's
18 fraudulent activities affected interstate commerce by recruiting students nationwide and utilizing
19 interstate mail and wire systems to disseminate deceptive information.
20

21 110. Manipulation of Academic Records:

22 Defendants intentionally manipulated academic transcripts and misrepresented instructional
23 credit hours to maintain institutional accreditation and secure student enrollment. For example,
24 on August 3, 2021, Spiro instructed Plaintiff not to communicate with the California State Bar
25 about transcript discrepancies, thereby attempting concealment of fraudulent practices and
26 obstructing Plaintiff's efforts to seek redress.
27

28 111. Ongoing Non-Compliance with State Bar Regulations:

1 PCL's directors, officers, and agents, including Gonzalez, Pena, Spiro, Sarinana, and
2 Leonard, were aware of PCL's ongoing breaches of regulatory requirements, including
3 inaccurate record-keeping, improper credit calculations, and refusal to provide accurate
4 transcripts. Despite receiving formal grievances and complaints, such as the 2020 Inspection
5 Report and the grievance filed by Nancy Popp, PCL continued these practices. PCL's persistent
6 noncompliance, facilitated by inadequate enforcement from the State Bar, constitutes predicate
7 acts of mail and wire fraud because PCL continued to collect tuition under false pretenses of
8 regulatory compliance and offering legitimate educational services.
9

10 112. Distribution of Inaccurate Transcripts:

11 Defendants knowingly provided inaccurate transcripts to Plaintiff and similarly situated
12 students, obstructing their educational progress and professional advancement. These actions
13 were part of a continuous pattern of fraudulent conduct intended to conceal PCL's institutional
14 failures. (See Exhibits 1, 2 and 9).
15

16 113. Violation of Unaccredited Guideline 5.9:

17 PCL's deliberate and ongoing violation of Unaccredited Guideline 5.9 related to improper
18 credit calculation constitutes a fraudulent scheme involving the manipulation of academic
19 records to mislead students, including Plaintiff, about the legitimacy of their earned credits.
20 Dean Juan Manuel Sarinana and Registrar Zuñiga played direct and central roles in perpetuating
21 this fraudulent conduct. On April 28, 2022, Sarinana admitted in writing to the State Bar's
22 Office of Admissions that PCL continued to award semester unit credits for courses taught on a
23 quarter schedule, in direct violation of Unaccredited Guideline 5.9 (Exhibit C, ECF 199, p. 4-
24 31-3; See also Docket 102, Exhibit 201A)
25

26 114. Admission of Non-Compliance:
27
28

1 Rather than implementing corrective measures, Sarinana attempted to justify PCL's non-
2 compliance by claiming that PCL historically awarded semester credits for quarter-based classes
3 despite the State Bar's explicit requirement that quarter units be calculated based on ten (10)
4 hours of classroom instruction per unit rather than fifteen (15). Sarinana acknowledged that this
5 non-compliant practice had been in place since at least the 2019-2020 academic year and
6 continued throughout Plaintiff's enrollment. (Id.)
7

8 115. Intentional Continuation of Fraudulent Practices:

9 Sarinana's admission, coupled with the State Bar's written directive to PCL regarding non-
10 compliance, establishes a knowing and willful continuation of fraudulent practices. Despite
11 notice from the State Bar, Sarinana and Zuñiga continued to disseminate inaccurate academic
12 records reflecting improper credit calculations. These falsified records were provided to
13 students, including Plaintiff, who relied on their accuracy for transfer, graduation, and eligibility
14 for the California Bar Examination. (Id.)
15

16 116. Pattern of Racketeering Through False Records:

17 PCL's ongoing non-compliance was reinforced by its pattern of submitting misleading
18 records and false representations to the State Bar. By knowingly distributing inaccurate
19 academic records via mail and electronic communication, Sarinana and Zuñiga engaged in a
20 pattern of racketeering activity involving repeated acts of wire and mail fraud. This conduct
21 demonstrates a deliberate scheme to misrepresent PCL's compliance with regulatory
22 requirements for the purpose of financial gain and to avoid accountability.
23

24 117. Racketeering Elements Met Under 18 U.S.C. §§ 1341 and 1343:

25 The ongoing fraudulent scheme, evidenced by Sarinana's admissions as Dean and Zuñiga's
26 dissemination of false transcripts as Registrar, satisfies the elements of wire and mail fraud
27 under 18 U.S.C. §§ 1341 and 1343. The scheme was intended to defraud Plaintiff and other
28

1 students of their legitimate educational credentials and opportunities. (See Exhibit C, ECF 102,
2 p. 1-2).

3 118. False Compliance Communications:

4 Defendants continued to perpetuate their fraudulent scheme through consistent email
5 communications falsely assuring compliance. On June 17, 2022, Natalie Leonard, a Program
6 Analyst for the State Bar of California's Office of Admissions, explicitly acknowledged to
7 Plaintiff that the provided transcripts were "disputed and incomplete," indicating ongoing
8 knowledge of fraudulent transcript representations.
9

10 119. Admission of Transcript Manipulation:

11 On November 9, 2022, Spiro, acting as attorney for PCL, engaged in email correspondence
12 with Natalie Leonard. In this exchange, Spiro acknowledged transcript inaccuracies and
13 admitted awareness of ongoing non-compliance with State Bar standards. Spiro indicated an
14 intent to amend certain transcripts but provided no assurance of comprehensive corrective
15 measures. (Exhibit C, ECF 199, pgs. 75 – 95, judicially noticed in ECF 248).
16

17 120. Admission of Non-Compliance:

18 In the same November 9, 2022, exchange, Spiro wrote to Leonard that Defendants
19 knowingly relied on Plaintiff to create his own coursework. This admission confirms the
20 Defendants' intentional failure to provide mandatory instructional hours due to the schemes
21 operational and financial motives. (Exhibit C, ECF 199, 75-95).
22

23 121. Use of Mail and Wire Systems:

24 Defendants used both electronic mail and U.S. mail systems to disseminate fraudulent
25 transcripts and false assurances of compliance. These communications caused Plaintiff and
26 similarly situated students to detrimentally rely on these misrepresentations in making
27 significant educational, financial, and career decisions.
28

122. Systematic Fraudulent Conduct:

The fraudulent conduct perpetrated by Defendants was systematic, continuous, and related. Persistent false communications through at least May 2024, when PCL's accreditation was revoked by the California State Bar, demonstrate a clear threat of ongoing illegal activities.

123. Proximate Cause of Injury:

As a direct and proximate result of Defendants' fraudulent actions and operation of the RICO Enterprise, Plaintiff has suffered substantial damages including, but not limited to, loss of educational opportunities, financial expenditures on tuition and related costs, severe emotional distress, and significant impairment of professional reputation and career progression.

124. Parallel to Discriminatory Practices:

The pattern of racketeering activity alleged here parallels discriminatory practices addressed in *Keyes v. School District No. 1, Denver, Colo.* The systematic targeting and exploitation of African American and minority students, including manipulation of academic records and obstruction of educational opportunities, constitutes a coordinated effort to exploit a vulnerable population for financial gain.

125. Repeated Use of Mail for Fraudulent Communications:

Between May 2019 and March 2024, Defendants Sarinana, Bouffard, Pena, Spiro, Gonzalez, and Torres repeatedly used U.S. Mail to distribute false academic transcripts and accreditation assurances to Plaintiff and similarly situated students. Specific communications dated June 17, 2022, and November 9, 2022, falsely represented PCL's compliance and induced continued enrollment and tuition payments.

126. Use of Wire Communications to Disseminate Fraudulent Statements:

Between May 2019 and March 2024, Defendants Spiro, Pena, Bouffard, Aramayo, Zuniga, Sarinana, Viramontes and Sanchez systematically used electronic mail to disseminate false

1 statements regarding PCL's bar passage rates, accreditation, accounts receivable and financial
2 solvency to students, prospective students, and donors. These misrepresentations directly
3 influenced enrollment and financial decisions based on knowingly false information. (See
4 Exhibits 8 and 9)

5
6 127. Impact on Interstate Commerce:

7 Defendants conducted their fraudulent activities through PCL, which substantially affects
8 interstate commerce by recruiting students nationwide, utilizing interstate mail and wire
9 systems, and receiving federal funding through State Bar-supported oversight activities.

10 128. Facilitation of Racketeering by PCL Agents and State Bar Employees:

11 Notably, evidence supports that individual PCL administrators and State Bar employees,
12 including the Defendants named herein, actively facilitated ongoing racketeering activities
13 through deliberate indifference and failure to enforce applicable guidelines. This deliberate
14 inaction enabled continuous fraudulent representations to be made to Plaintiff and other students
15 over multiple academic terms, resulting in significant economic harm and perpetuating systemic
16 racial inequalities within the legal education system. (See ECF 199, Exhibit C; also see Exhibits
17 1 and 9)

18
19 129. Discriminatory Impact and RICO Violation:

20 Defendants' fraudulent conduct disproportionately impacted African American students,
21 including Plaintiff, exacerbating systemic racial inequalities within legal education. This
22 disparate treatment constitutes a violation of federal law, specifically including the civil rights
23 protections embedded within RICO. Plaintiff was targeted through a combination of fraudulent
24 misrepresentation, obstruction of academic progress, and intentional manipulation of records
25 designed to deny him the benefits of his education. (See Exhibit 3.)

26
27 130. Evidence of Discriminatory Treatment:
28

1 The discriminatory nature of Defendants' conduct is further evidenced by their preferential
2 treatment of Nancy Popp. Unlike Plaintiff, whose transcripts were intentionally manipulated and
3 obstructed, Popp's transcripts were promptly corrected upon her request. This disparity strongly
4 supports Plaintiff's contention that Defendants engaged in discriminatory conduct based on
5 protected status or arbitrary and capricious decision-making. (See Exhibit 1)

6
7 131. Consequences of Discriminatory Conduct:

8 As a result of Defendants' fraudulent and discriminatory conduct, Plaintiff and other
9 similarly situated students were denied equal access to educational opportunities. Plaintiff
10 suffered tangible damages, including financial harm, emotional distress, and lost career
11 opportunities, all of which are directly attributable to Defendants' racketeering activities.

12 132. Structure of the RICO Enterprise:

13 The RICO Enterprise described herein was operated through a structured hierarchy
14 involving Defendants Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Viramontes, Aramayo,
15 Sanchez and the other Defendants. This enterprise functioned through PCL's institutional
16 infrastructure, with each Defendant assigned specific roles to advance the fraudulent scheme.
17 Specifically:

- 18
19 a. Spiro (Former Dean): Directed the manipulation of transcripts, provided misleading
20 accreditation assurances, and coordinated efforts to obstruct Plaintiff's attempts to
21 seek external remedies.
22
23 b. Pena (Vice President) & Sarinana (Former Dean): Facilitated the dissemination of
24 false academic records and obstructed Plaintiff's educational progress.
25
26 c. Gonzalez (President) & Torres: Misrepresented institutional accreditation status and
27 compliance to students and regulatory bodies.
28

- 1 d. Viramontes: Recruited faculty, coordinated school policy aimed at silencing student
2 grievances, and communicated fraudulent information through wire communications.
3 e. Sanchez: Disseminated fraudulent statements regarding election status and financial
4 solvency through wire communications.
5 f. Aramayo, Maestas, Gillens, Sarin and Bouffard: Participated in administrative
6 decisions, facilitated fraudulent communications, and engaged in improper debt
7 collection activities under threat of denying essential educational services.
8

9 133. Coordinated Scheme for Financial Gain:

10 Because each Defendant played a critical role in furthering the fraudulent enterprise's
11 objectives, their actions constituted a coordinated scheme designed to perpetuate fraud and
12 secure status or financial gain through unlawful means, including the manipulation of academic
13 records, dissemination of false accreditation information, and coercive billing practices.
14

15 134. Mail and Wire Fraud Legal Standards:

16 Mail and wire fraud require (1) a scheme to defraud, (2) use of mail or wire communication
17 in furtherance of the scheme, and (3) intent to deceive or cheat (*Schmuck v. United States*, 489
18 U.S. 705, 711 (1989)). Defendants' actions meet all elements necessary to establish violations
19 under these statutes. The RICO Enterprise's fraudulent activities were systematically carried out
20 through communications disseminated via electronic mail and postal services. This conduct
21 persisted over multiple years and involved numerous fraudulent transactions, demonstrating a
22 deliberate scheme to misrepresent PCL's compliance for financial gain.
23

24 135. Interstate Commerce Impact:

25 The RICO Enterprise's actions substantially affected interstate commerce by soliciting
26 tuition payments, donations, and enrollment from students and supporters residing in multiple
27 states. These transactions were processed through interstate banking systems, and fraudulent
28

1 representations were transmitted via email, phone calls, and postal services. The fraudulent
2 scheme extends beyond California, impacting individuals who relied on PCL's false
3 representations of accreditation and legitimacy.

4 136. Intent to Defraud:

5 The predicate acts of mail and wire fraud were executed with specific intent to defraud Plaintiff
6 and similarly situated students. Defendants relied on false representations to solicit tuition
7 payments, maintain institutional accreditation, and obstruct Plaintiff's ability to transfer or achieve
8 academic progress. The enterprise's fraudulent scheme directly caused Plaintiff's injuries.

9 137. Specific Predicate Acts:

10 The predicate acts of mail and wire fraud committed by the Defendants include, but are not
11 limited to:

- 12
- 13 a. August 3, 2021: Robert Ira Spiro sent an email instructing Plaintiff not to contact the
- 14 California State Bar regarding transcript discrepancies, intentionally concealing
- 15 fraud.
- 16
- 17 b. June 17, 2022: Natalie Leonard (State Bar Analyst) acknowledged to Plaintiff that
- 18 the transcripts provided were disputed and incomplete, evidencing PCL's fraudulent
- 19 misrepresentation.
- 20
- 21 c. November 9, 2022: Spiro admitted to Leonard that Plaintiff was required to create
- 22 his own coursework, confirming Defendant's failure to provide mandatory
- 23 instructional hours.
- 24
- 25 d. 2021-2023: Viramontes and Sanchez electronically transmitted misleading
- 26 curriculum information to faculty and students and potential donors as well as
- 27 facilitated communications related to course offerings that were non-compliant with
- 28 state law or State Bar guidelines.

- e. Pena sent communications to the Secretary of State registering organizational changes that resulted from unlawful ousting or noncompliant election with the approval and participation of Gillens, Maestas, Franco and others.
- f. Pena, Bouffard, Sarin, and Spiro ordered, oversaw, or sanctioned improper collection of payments under threat of denying educational services.
- g. Venegas, Aramayo and Zuniga coordinated the collection of fees and dissemination of inaccurate student information to students and the State Bar.

137A. Particularity of Fraud: Plaintiff pleads fraud with particularity under Rule 9(b).

Specific misrepresentations include:

(a) issuance of intentionally inaccurate transcripts on August 3, 2021 by Spiro (Exhibit A);

(b) false representation of compliance by Spiro in his June 8, 2022 letter to the State Bar

(Exhibit 6);

(c) knowingly withheld documentation in support of Plaintiff's disability exemption (August–September 2022);

(d) misrepresentations by Leonard in denying transcript accuracy and PCL compliance despite internal knowledge (June 17, 2022, Exhibit A);

(e) wire fraud committed by Viramontes and Sanchez by disseminating misleading performance and pass rate statistics (2021–2023, Exhibit C).

These acts occurred through U.S. mail and electronic communication, and each act is tied to specific dates, individuals, and communications.

138. Fraud-Induced Reliance:

These fraudulent communications intentionally induced Plaintiff to continue enrollment and make tuition payments under false pretenses, directly causing financial and professional harm.

The fraudulent communications and actions directly resulted in harm to Plaintiff by:

- a. Inducing continued enrollment and payment of tuition based on false representations of accreditation.
- b. Obstructing Plaintiff's ability to transfer to another institution by falsifying transcripts, resulting in lost educational opportunities and professional advancement.
- c. Causing emotional distress through ongoing uncertainty about academic progress and professional licensure.

139. Prevention of Educational and Professional Advancement:

Defendants knowingly provided falsified transcripts, withheld accurate academic records, and made false representations about accreditation status. These actions directly prevented Plaintiff from transferring to other institutions, completing his legal education, or qualifying for licensure. Each instance of fraudulent communication, including but not limited to the emails dated June 17, 2022, and November 9, 2022, contributed directly to Plaintiff's economic and professional harm.

140. Breach of Duty of Care:

Defendants' failure to provide accurate transcripts and comply with institutional accreditation standards also constitutes a breach of the duty of care owed to Plaintiff as a student. The abrogation of PCL administrators and associated parties directly contributed to Plaintiff's injuries because their acts of fraudulent misrepresentation were performed within the scope of their institutional responsibilities and in reckless disregard of Plaintiff's educational and professional rights.

141. Disparate Treatment and Racial Inequality:

The disparate treatment evidenced by Defendants' preferential treatment of Nancy Popp, contrasted with their obstruction of Plaintiff's efforts to obtain accurate records, further demonstrates the discriminatory nature of the enterprise's conduct. Because Defendants' fraudulent

1 scheme disproportionately impacted African American students, including Plaintiff, the racketeering
2 activity also perpetuated systemic racial inequalities within the legal education system. This pattern
3 of conduct violates federal RICO statutes and civil rights protections intended to ensure equal
4 access to educational opportunities.

5
6 142. Violation of Statutory and Constitutional Rights:

7 The actions of the Defendants, in their individual capacities, violated clearly established
8 statutory and constitutional rights. Their failure to enforce regulations, implement
9 discriminatory policies, and retaliate against Plaintiff for exercising his First Amendment rights,
10 are violations of well-established legal principles. A reasonable person in their position would
11 have known that their conduct was unlawful.

12 a. **Civil Rights Violation under 42 U.S.C. § 1983:** These defendants, as agents of PCL
13 were authorized agents of the State Bar and also acting in their individual capacities,
14 are alleged to have engaged in a conspiracy to deprive the plaintiff of his civil rights
15 under 42 U.S.C. § 1983. Specifically, they violated the plaintiff's constitutional
16 rights to a fair education and career progression by manipulating his transcript,
17 denying him transfer options, failing to process his exemption request, conspiring to
18 oust him as a duly elected corporate officer, and implementing the State Bar's non-
19 interference policy to effect and operate their alleged scheme. Many of these actions
20 were taken under the color of state law as the State Bar exercises regulatory control
21 over PCL, rendering the individual defendants liable for constitutional violations
22 including the denial of due process and equal protection under the Fourteenth
23 Amendment.

24 b. **Unruh Civil Rights Act Violation (Cal. Civ. Code § 51):** Defendants' conduct
25 discriminated against Plaintiff based on his protected status as an African-American
26
27
28

1 male student. Their actions deprived Plaintiff of equal access to educational
2 opportunities and career advancement, violating rights afforded to him under
3 California state law.

4
5 c. **Violation of California Education Code § 201:** This section guarantees that no
6 person shall be subjected to discrimination in any program or activity conducted by
7 an educational institution. By conspiring to manipulate Plaintiff's academic standing,
8 denying access to lawful exemptions, and interfering with his career progression,
9 Defendants engaged in unlawful conduct that directly violates the protections
10 afforded to Plaintiff under California law.

11 d. **Bane Act Violation (Cal. Civ. Code § 52.1):** Defendants' use of threats,
12 intimidation, or coercion to interfere with Plaintiff's rights to fair education, career
13 progression, and due process under both federal and state law constitutes a violation
14 of the Bane Act.

15
16 e. **Violation of California Education Code § 66270:** This statute prohibits
17 discrimination based on race, sex, disability, and other protected characteristics in
18 postsecondary educational institutions. The manipulation of Plaintiff's academic
19 standing and career opportunities constitutes discriminatory interference.

20 f. **Conspiracy Motivated by Racial Animus:** The alleged conspiracy to deprive
21 Plaintiff of his civil rights was motivated by racial animus, further compounding the
22 violation of Plaintiff's rights under federal and state law.

23
24 143. Ultra Vires Acts and Abuse of Authority:

25 Defendants, many of them licensees ostensibly acting under color of law, either knowingly
26 acted ultra vires or in excess of their authority or enforced unlawful rules that were certain to
27 produce unlawful outcomes, causing harm to Plaintiff. Defendants' actions were beyond the
28

1 scope of their lawful authority and were intended to harm Plaintiff's educational and
2 professional progress. (See Exhibits 2 and 7.)

3 144. Relevant Conduct Involving Plaintiff's Harm:

4 The relevant conduct involved:

- 5 a. The manipulation of Plaintiff's transcript. (See Exhibit 1)
6 b. The denial of viable transfer options. (See Exhibit 201A at ECF 102, p. 45)
7 c. The failure to process his exemption request in good faith. (*Id.* at 6-7)
8 d. Reliance on and exploitation of the "non-interference" policy. (*Id.* at 2)
9 e. Disseminating misleading information about PCL's compliance status. (*Id.* at 9-10)
10 f. Protracted failure to reasonably oversee and regulate PCL's operations. (*Id.* at 2)
11 g. Abusive and unreasonable fee collection and contractual renege.
12

13 145. Harm Caused by Non-Compliance:

14 Because of the Defendant's conduct and willful non-compliance, Plaintiff was prevented
15 from completing his legal education and obtaining his degree, causing him financial and
16 emotional harm. Defendants knew or should have known that the policies were unlawful
17 themselves or that their application would inevitably lead to unlawful consequences. PCL
18 agents, directors, officers and administrators had a duty to ensure that its policies and
19 regulations were lawful and did not infringe upon students' rights because PCL, as a regulated
20 entity, had a duty to comply with the state statutes and State Bar regulations and to operate in a
21 lawful and ethical manner. The individual defendants, as officers and employees of PCL, had a
22 duty to act in accordance with the law and to uphold their professional and ethical obligations.
23 (*Id.* at 9)
24

25 146. Proximate Cause and Equitable Tolling:
26
27
28

1 A RICO plaintiff must show that the predicate acts were the proximate cause of the injury
2 suffered (*Bridge v. Phoenix Bond & Indem. Co.*, 553 U.S. 639, 654 (2008)). Equitable tolling
3 applies where the defendant's fraudulent concealment prevented the plaintiff from discovering
4 the harm (*Rotella v. Wood*, 528 U.S. 549, 561 (2000)).

5
6 147. Justification for Equitable Tolling:

7 The concealment of accurate transcript information delayed Plaintiff's discovery of fraud,
8 warranting equitable tolling. The ongoing pattern of deceit, coupled with Defendants' intentional
9 misrepresentations, justifies equitable tolling of any applicable statutes of limitations as Plaintiff
10 reasonably relied on the Defendants' assurances of compliance. Plaintiff was unaware of the full
11 extent of the fraudulent scheme until it was uncovered through his persistent investigations.
12 Defendants' intentional misrepresentations and deliberate concealment of critical information
13 prevented Plaintiff from discovering the harm at an earlier date.

14
15
16 148. Direct Harm Caused by Defendants' Conduct:

17 The fraudulent communications and actions of the Defendants directly resulted in Plaintiff's
18 harm by:

19 a. Inducing Continued Enrollment and Financial Losses: Defendants knowingly
20 misrepresented accreditation and compliance to induce Plaintiff to continue his enrollment at
21 PCL. These fraudulent assurances caused Plaintiff to make substantial financial expenditures
22 on tuition and related costs under false pretenses.

23 b. Falsifying Transcripts and Obstructing Transfer: Defendants' manipulation of Plaintiff's
24 transcripts and refusal to provide accurate academic records obstructed Plaintiff's ability to
25 transfer to other institutions, complete his legal education, and pursue professional
26 advancement.
27
28

1 c. Emotional Distress and Professional Harm: The prolonged uncertainty and denial of
2 Plaintiff's educational progress, compounded by Defendants' deliberate obstruction and
3 defamation resulted in severe emotional distress and damage to Plaintiff's professional
4 reputation.

5
6 149. As a direct result of Defendants' racketeering activities, Plaintiff suffered specific
7 financial losses, including approximately \$55,000 in tuition, significant delay and
8 impairment of professional licensure and earning potential, and substantial emotional
9 distress directly caused by reliance upon Defendants' fraudulent misrepresentations.

10 150. WHEREFORE, Plaintiff respectfully requests this Court grant compensatory
11 damages, treble damages pursuant to 18 U.S.C. §1964(c), attorneys' fees, costs of suit,
12 injunctive relief against ongoing and future fraudulent acts, and such other relief as is
13 outlined in the 'Remedies and Relief' section of this pleading.
14
15
16
17

18 **– SECOND CAUSE OF ACTION –**

19 **CLAIM FOR VIOLATION OF THE UNRUH CIVIL RIGHTS ACT**
20 **(CALIFORNIA CIVIL CODE § 51)**
(The Peoples College of Law)

21 151. **Summary:** This cause of action arises from Defendants' violation of the Unruh Civil
22 Rights Act, California Civil Code § 51, through discriminatory practices that denied Plaintiff
23 equal access to educational opportunities, benefits, and services provided by PCL.
24 Defendants, including PCL and its agents, engaged in intentional practices that resulted in
25 unequal treatment of Plaintiff based on his race. These discriminatory acts were carried out
26 by Defendants Gonzalez, Pena, Spiro, Sarinana, Sarin, and other agents of PCL through acts
27 of deliberate neglect, manipulation of academic records, and refusal to provide
28

1 accommodations extended to other students including selective transcript corrections,
2 refusal to provide essential courses, imposing arbitrary requirements, class interference,
3 retaliation and deliberately neglecting Plaintiff's educational progress. This conduct, enabled
4 by the State Bar's failure to enforce regulations, resulted in substantial harm to Plaintiff's
5 education and career prospects.

6
7 152. **Incorporation of Allegations:** Plaintiff re-alleges and incorporates by reference
8 each allegation contained in ¶¶ 1-121, with particular emphasis on the allegations
9 concerning the denial of full and equal accommodations and the discriminatory treatment
10 based on race (see ¶¶ 22-30, 56-58, and 83-90, 120-121, 144-145 and 149).

11 153. **Business Establishment:** PCL, as a private law school offering legal training in
12 exchange for tuition, qualifies as a 'business establishment' within the meaning of California
13 Civil Code § 51. As such, it is required to provide full and equal accommodations to all
14 students regardless of race or other protected characteristics.

15
16 154. **Discriminatory Conduct by PCL and Its Agents:** Defendants Gonzalez, Pena,
17 Spiro, Sarinana, and Maestas, as agents of PCL, engaged in conduct that intentionally or
18 effectively denied Plaintiff equal access to educational opportunities and services on the
19 basis of race.

20
21 155. PCL's deliberate refusal to provide accurate transcripts, denial of necessary
22 coursework, and manipulation of academic records disproportionately harmed Plaintiff and
23 other minority students. The State Bar's failure to intervene despite repeated complaints
24 enabled PCL to continue these discriminatory practices without correction or accountability.

25 156. **Discriminatory Intent and Impact:** Defendants' conduct was substantially
26 motivated by Plaintiff's race. PCL's discriminatory policies and practices, including refusal
27 to correct transcripts, denial of course access, and imposing unequal requirements,
28

1 disproportionately harmed Plaintiff by obstructing his academic progress and preventing him
2 from completing his legal education. PCL's discriminatory practices are evidenced by its
3 preferential treatment of other students, such as Nancy Popp, whose transcripts were
4 corrected promptly upon request, whereas Plaintiff's requests for corrections were
5 repeatedly denied or obstructed.

6
7 157. **Violation of the Unruh Act:** PCL's discriminatory practices constitute a violation of
8 the Unruh Civil Rights Act because they deny Plaintiff full and equal accommodations,
9 advantages, facilities, privileges, or services as required under California Civil Code § 51.

10 158. PCL's failure to address issues raised by students, including the grievances
11 documented in the 2020 Inspection Report and Nancy Popp's complaint, demonstrates
12 inconsistent and selective responses to student concerns. PCL promptly addressed the
13 complaints raised by Nancy Popp, a white female, as evidenced by documented corrections
14 to her transcripts. In contrast, PCL failed to adequately respond to Plaintiff's grievances
15 concerning inaccurate records and course access. This disparate treatment, which
16 disproportionately harmed Plaintiff as a minority student, suggests a pattern of arbitrary or
17 discriminatory practices in violation of the Unruh Civil Rights Act.

18
19 159. **Specific Acts of Discrimination:** Plaintiff alleges that the actions and inactions of
20 PCL, through its officers, directors, employees, and agents, acting under color of state law
21 due to PCL's extensive regulation by and relationship with the State Bar, and the State Bar,
22 through its employees acting outside their official capacities, have caused him harm due to
23 the lack of an accurate transcript and the planned and intentional denial of a degree.

24
25 160. PCL's ongoing violation of Unaccredited Guideline 5.9 concerning improper credit
26 calculation constitutes discriminatory conduct that denied Plaintiff full and equal
27 accommodations, privileges, and advantages as required under California Civil Code § 51.
28

1 Despite receiving multiple notifications from students, including Plaintiff, regarding
2 discrepancies between quarter-based instruction and semester-based credit awards.
3 Defendants Sarinana, Pena, Zuñiga, Aramayo and Spiro acting as agents of PCL, knowingly
4 continued to issue transcripts reflecting incorrect credit calculations. (See ECF 199, Exhibit
5 C, p. 72-74).

6 The discriminatory acts by PCL include:

- 7
- 8 a. Selectively refusing to correct Plaintiff's transcripts while providing corrections for
 - 9 similarly situated students, such as Nancy Popp.
 - 10 b. Denying Plaintiff access to necessary courses required for graduation, despite
 - 11 offering these courses to other students.
 - 12 c. Imposing heightened and arbitrary requirements on Plaintiff, creating barriers not
 - 13 applied to others.
 - 14 d. Failing to maintain and enforce policies ensuring equal treatment and transparency in
 - 15 educational services.
- 16

17 161. **Harm to Plaintiff:** As a result of these discriminatory practices, Plaintiff suffered
18 tangible harm including:

- 19
- 20 a. Financial loss due to delayed graduation and additional educational expenses.
 - 21 b. Emotional distress resulting from denial of academic opportunities.
 - 22 c. Loss of educational opportunities and professional impairment, directly affecting
 - 23 Plaintiff's ability to pursue a legal career.

24 The acts or omissions used to obtain this result include:

- 25 i. Gonzalez, Pena, Spiro, Sarinana, Bouffard, Sarin, Franco and Maestas denied,
- 26 conspired to deny, or conspired to aid or incite a denial of the full and equal
- 27
- 28

1 advantages, facilities, privileges, or services in the educational opportunities offered
2 by PCL.

3 ii. **Enabling Discriminatory Practices:** The State Bar's consistent failure to enforce
4 regulatory standards and reliance on a 'non-interference' policy enabled PCL's
5 agents to deny Plaintiff critical educational resources, shielded discriminatory
6 practices from scrutiny, and fostered a permissive environment that
7 disproportionately harmed Plaintiff. The State Bar's failure to enforce its regulations,
8 combined with its non-interference policy, emboldened PCL to continue engaging in
9 discriminatory conduct without fear of accountability. By refusing to intervene or
10 enforce oversight despite clear knowledge of PCL's ongoing violations, the State Bar
11 created an environment where PCL felt empowered in its discriminatory practices
12 against Plaintiff with impunity. (See Exhibit 201A, previously filed accompanying a
13 request for judicial notice at ECF 102, p. 2)

14
15
16 iii. PCL's exploitation and informed reliance on the State Bar's "non-interference"
17 policy that gave notice to the actors of student non-recourse and that inevitably and
18 disproportionately affected students from unaccredited schools. (*Id.*)

19 iv. PCL's misleading advertising and recruitment practices that targeted vulnerable
20 communities, as facilitated by Gonzalez, Pena, Spiro, and Sarinana. (*Id.* at 42)

21 v. PCL's failure to provide a quality education and accurate transcripts, because of the
22 actions and inactions of Gonzalez, Pena, Spiro, Sarin, Bouffard and Sarinana. (*Id.* at
23 9-10)

24
25 162. PCL's discriminatory practices, including in allowing certain records to be corrected
26 with the remainder uncorrected, despite its duty of accurate record keeping, regulatory
27 authority and knowledge of the issues, constitutes a violation of the Unruh Civil Rights Act.
28

1 163. PCL, through its officials and employees, targeted vulnerable classes, induced
2 matriculation and operated under conditions likely to result in student failure, without
3 adequate oversight or intervention.

4 164. Defendants' conduct, including the deliberate issuance of inaccurate transcripts,
5 refusal to provide necessary corrections, and the imposition of arbitrary requirements,
6 disproportionately impacted Plaintiff due to his race and status as a student from an
7 unaccredited school. PCL's failure to provide accurate transcripts and equal access to
8 educational resources directly impaired Plaintiff's ability to transfer, graduate, and pursue
9 licensure, constituting a violation of the Unruh Civil Rights Act.

10 165. As a result of these discriminatory practices, Plaintiff suffered financial harm,
11 emotional distress, and a loss of educational and professional opportunities.

12 166. **Prayer for Relief:** Plaintiff seeks:

- 13
14
15 a. Compensatory damages according to proof.
16 b. Punitive damages to the extent allowed by law.
17 c. Injunctive relief to prevent future discriminatory practices.
18 d. Attorneys' fees and costs as permitted under California law.

19 **– THIRD CAUSE OF ACTION –**

20 **CLAIM FOR NEGLIGENCE AND NEGLIGENCE PER SE**

21 (The Peoples College of Law and Its Board of Directors, Gonzales, Spiro, Pena, Franco,
22 DeuPree, Silberger, Gillens, Viramontes)

23 167. **Summary:** This cause of action arises from the Defendants' negligent actions,
24 including their failure to provide accurate transcripts, refusal to award degrees despite
25 completion of program requirements, and lack of proper oversight of PCL's compliance with
26 educational standards. Specifically, the Defendants, including PCL and its officers, breached
27 their duty by:

- 28 a. Failing to maintain accurate records of Plaintiff's academic progress, as evidenced
by the erroneous transcripts issued from 2020 to the present day.

- 1 b. Refusing to recognize Plaintiff's completion of required coursework, despite clear
2 documentation of his academic efforts.
- 3 c. Implementing policies that obstructed Plaintiff's educational progress and retaliating
4 against him for protected activities, including his whistleblowing efforts and
5 advocacy for institutional transparency.

6 These negligent actions were disproportionately harmful to Plaintiff, constituting
7 negligence per se under applicable regulations, including Rules 2.3(D), 4.241, and
8 9.1. As a result, Plaintiff suffered significant economic and non-economic damages.

9
10
11 168. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 33-
12 84, 88, 91, 102-120, 186-206, and 213-216 of the Fourth Amended Complaint.

13
14 169. A showing of negligence requires Plaintiff to demonstrate duty, breach of duty,
15 causation and damages.

16 170. Duty to Comply with Law:

17 Defendants knew or should have known that their policies and actions were unlawful or that
18 their application would inevitably result in unlawful consequences. PCL agents, directors, officers,
19 and administrators had a duty to ensure compliance with state statutes and State Bar regulations. As
20 a regulated entity, PCL was obligated to operate lawfully and ethically. The individual defendants,
21 as officers and employees of PCL, were responsible for upholding their professional and ethical
22 obligations. (Id. at 9)

23
24 171. The negligent actions of PCL and the State Bar, including the failure to provide
25 accurate transcripts, the delay in awarding degrees, and the lack of proper oversight, have
26 disproportionately impacted African American students and have specifically harmed the
27 Plaintiff.
28

1 172. In a November 9, 2022, email from Spiro, acting as counsel for PCL, to Natalie
2 Leonard, Spiro acknowledged PCL's failure to monitor Plaintiff's academic progress,
3 despite being aware of the necessity for oversight. Spiro admitted:

4 "PCL should have monitored the student's progress in creating the courses. We at PCL
5 acknowledge we should have done better. We should have checked with the student
6 periodically to verify how he was progressing in creating the courses. I believe we did not. I
7 doubt PCL will again make an agreement with a student for the student to take courses out
8 of order and create courses to resolve problems caused by taking them out of order. But if
9 PCL ever does that again, PCL surely will establish a timetable for verifying with the student
the progress in creating the courses." (See ECF199, pages 75 - 95. The Court has ruled that
these records are judicially noticed to the extent they bear on Plaintiff's ability to amend his
complaint at ECF 248).

10 173. Despite Spiro's apparent admission of negligence, this statement was, in fact, a
11 deliberate falsehood intended to obscure PCL's retaliatory conduct. Contrary to Spiro's
12 claim, he never permitted Plaintiff to create coursework or devise an alternative academic
13 plan. Instead, Spiro categorically refused to offer the required coursework or approve any
14 proposed alternatives advanced by Plaintiff. This refusal was a direct act of retaliation
15 against Plaintiff for his prior whistleblowing and advocacy for transparency at PCL. Spiro's
16 communication was a calculated effort to mislead regulators, shifting the blame onto
17 Plaintiff while concealing PCL's systemic failures and retaliatory practices.

18
19 174. Spiro's November 9, 2022, email was not a genuine acknowledgment of negligence
20 but a strategic misrepresentation intended to shield PCL from regulatory scrutiny. By falsely
21 implying that Plaintiff had the autonomy to create his own courses and that PCL's failure
22 was merely one of oversight, Spiro sought to obscure the reality: PCL's categorical refusal to
23 provide necessary coursework or accept Plaintiff's reasonable alternatives was a deliberate
24 effort to obstruct Plaintiff's progress in retaliation for his protected activities.

25
26 175. Notwithstanding Spiro's misrepresentation, PCL's failure to establish and implement
27 a coherent process for oversight, combined with its admission that such oversight was
28

1 required, demonstrates both negligence and recklessness. The failure to provide adequate
2 guidance and establish reasonable accommodations for Plaintiff's academic progress
3 constituted a breach of PCL's duty of care. As a direct result of PCL's breach, Plaintiff
4 experienced significant harm, including educational setbacks, emotional distress, financial
5 losses, and professional impairment.

6
7 176. The Defendants' acknowledgment of their failure to monitor Plaintiff's progress, as
8 documented in Spiro's November 9, 2022 email, coupled with Spiro's explicit refusal to
9 accept Plaintiff's proposed academic alternatives, constitutes a breach of duty. Despite being
10 aware of the necessity for oversight, Spiro and other PCL officials actively obstructed
11 Plaintiff's attempts to continue his education by refusing reasonable accommodations. This
12 refusal occurred after Plaintiff had made multiple documented attempts to address transcript
13 discrepancies and propose compliant coursework solutions, all of which were denied
14 without reasonable justification.

15
16 177. The Defendants' actions were not only negligent but intentionally retaliatory, as
17 evidenced by Spiro's refusal to accept alternative coursework plans following Plaintiff's
18 protected activities, including whistleblowing and advocacy for institutional transparency.
19 By refusing to engage in a reasonable accommodation process and obstructing Plaintiff's
20 efforts to complete his education, the Defendants' conduct proximately caused Plaintiff's
21 harm, including lost educational opportunities, financial damages, and emotional distress.

22
23 178. Defendants, as officers and directors of PCL, had a duty to ensure the accuracy of
24 student transcripts, timely offering of compliant legal education, and adherence to the
25 educational contract and implied covenants of good faith and fair dealing. Their failure to do
26 so constitutes a breach of this duty.

1 179. These defendants had a regulatory duty to oversee PCL's compliance with
2 educational standards. Their failure to intervene or address known issues at PCL constitutes
3 negligence per se, as it violated statutes and regulations designed to protect students like the
4 Plaintiff.
5

6 180. **Duty of Care:** A duty of care exists where a party has an obligation to act with
7 reasonable care to avoid causing harm to another. In the context of educational institutions,
8 this duty includes maintaining accurate records, providing truthful information about
9 educational programs, and adhering to statutory and regulatory requirements governing legal
10 education. Negligence per se applies when a party violates a statute or regulation intended to
11 protect a particular class of persons, resulting in harm to a member of that class.
12

13 181. The Defendants breached their duty of care in the following ways:

- 14 a. Failure to Provide Accurate and Timely Transcripts: Despite repeated requests from
15 Plaintiff, PCL failed to provide accurate transcripts that reflected completed
16 coursework, as evidenced by the erroneous transcripts provided from 2020 through
17 2023. This failure was compounded by Spiro's admission in the November 9, 2022
18 email, acknowledging PCL's deficient monitoring processes.
19
20 b. Failure to Award Degrees Despite Completion of Program Requirements: Plaintiff
21 completed all required coursework; however, PCL's refusal to recognize this
22 completion and issue a degree was an arbitrary denial intended to obstruct Plaintiff's
23 progress. Spiro's November 9, 2022 email further illustrates PCL's failure to adhere
24 to established protocols for verifying academic progress.
25
26 c. Failure to Maintain Accurate Records: PCL failed to comply with Rule 9.1 by
27 neglecting to maintain accurate and complete academic records. Erroneous
28 transcripts, inconsistent credit allocations, and the absence of coherent

1 documentation standards are evidenced by multiple versions of Plaintiff's transcripts
2 provided by PCL.

- 3 d. Failure to Adhere to Student Solicitation and Matriculation Standards: PCL violated
4 Rule 2.3(D) by failing to make proper and timely disclosures to Plaintiff upon
5 enrollment and throughout his academic tenure. This includes failing to disclose the
6 improper awarding of units, which prevented Plaintiff from making informed
7 decisions about his educational path.
- 8 e. Failure to Oversee Compliance with Regulations: Despite PCL's known deficiencies,
9 including those documented in the 2020 Inspection Report and subsequent
10 probationary period, the Defendants failed to implement corrective measures or
11 maintain compliance with State Bar regulations.
- 12 f. Allowing Discriminatory Practices: The disparate treatment of Plaintiff compared to
13 other students, such as Nancy Popp whose transcript issues were corrected promptly
14 and accurately, demonstrates a pattern of discriminatory practices intended to
15 retaliate against Plaintiff for his advocacy and whistleblowing.
- 16 g. Retaliation Against Plaintiff for Exercising His First Amendment Rights: Defendants
17 actively obstructed Plaintiff's attempts to address transcript discrepancies and
18 propose reasonable alternatives. Spiro's November 9, 2022 email mischaracterized
19 Plaintiff's efforts and falsely suggested PCL permitted Plaintiff to devise his own
20 coursework plan. In reality, PCL refused Plaintiff's reasonable proposals and
21 engaged in retaliatory conduct intended to chill Plaintiff's advocacy.

22 182. The Defendants' breaches of duty, including their failure to adhere to statutory
23 standards, constitute negligence per se. Plaintiff suffered harm directly resulting from the
24 Defendants' actions, including financial loss, emotional distress, and educational setbacks.
25
26
27
28

1 183. PCL, through its agents Sarinana and Zuñiga, breached its duty of care to Plaintiff by
2 knowingly issuing inaccurate transcripts that failed to comply with the credit calculation
3 requirements set forth under Unaccredited Guideline 5.9. Despite receiving multiple notices
4 from students, including Plaintiff, and explicit directives from the State Bar highlighting
5 PCL's non-compliance, Sarinana and Zuñiga continued to disseminate academic records
6 reflecting improper credit awards. (See Exhibit C, previously filed accompanying a request
7 for judicial notice at ECF 102, p. 1-3).

9 184. As acknowledged by Sarinana in his April 28, 2022 correspondence with the State
10 Bar's Office of Admissions, PCL had improperly awarded semester unit credits for courses
11 taught under a quarter system since the 2019-2020 Academic Year. Rather than correcting
12 this discrepancy or ensuring compliance with Guideline 5.9, Sarinana and Zuñiga
13 perpetuated the issuance of inaccurate transcripts that directly harmed Plaintiff by
14 preventing him from timely transferring, graduating, or pursuing further educational
15 opportunities. (Id.)

17 185. PCL's negligence, facilitated by the actions of Sarinana and Zuñiga, resulted in
18 tangible harm to Plaintiff's educational progress and career prospects. PCL's failure to
19 adhere to recognized standards of care and its deliberate disregard for regulatory
20 requirements constituted a breach of duty that caused Plaintiff financial losses, emotional
21 distress, and diminished professional opportunities.

23 186. Negligence per se applies where a party violates a statute or regulation intended to
24 protect a specific class of persons, resulting in harm to a member of that class. Relevant
25 standards include Rules 2.3(D), 4.241, and 9.1, which establish requirements for accurate
26 record-keeping, appropriate disclosures, and adherence to established educational standards.
27 Here, Defendants' violations include:
28

1 a. Failing to maintain accurate records as required by Rule 9.1.

2 b. Failing to disclose accurate unit awards and other essential academic information as
3 required by Rule 2.3(D).

4 c. Failing to provide timely and compliant educational services as required by Rule
5 4.241.
6

7 187. Defendants failed to comply with the 2022 Guidelines for Unaccredited Law School
8 Rules, specifically Rules 4.240, 4.241, and 4.242, by failing to maintain accurate records,
9 submit required reports, and provide adequate disclosure statements to students.

10 188. **Negligence per se:** By failing to comply with these standards, the Defendants acted
11 negligently per se. These violations were intended to protect students like Plaintiff from
12 harm, and the resulting inaccuracies and refusals to provide required services caused
13 Plaintiff tangible harm.
14

15 189. The Defendants' actions, individually and collectively, constitute negligence per se
16 as they violated statutory and regulatory standards governing educational institutions,
17 including Rules 2.3(D), 4.241, and 9.1, as well as Plaintiff's First Amendment rights.

18 190. The Defendants' violations of applicable regulations constitute negligence per se,
19 and Plaintiff has demonstrated a direct causal connection between the Defendants' conduct
20 and his injuries.
21

22 191. Gonzales, Spiro, Pena, Franco, DeuPree, Silberger, Gillens, breached a duty by
23 allowing their employees and agents to act in opposition to or outside the scope of their
24 employment to the detriment of the Plaintiff, the Defendants, as agents of PCL or employees
25 or appointees of the State Bar, breached their duty to hire and utilize only individuals who
26 would comply with the law and to properly train and supervise those individuals to ensure
27 compliance.
28

1 192. PCL allowed Spiro, Pena, Gonzalez, Sarin, Bouffard, Maestas, Torres to discriminate
2 against Todd so that PCL could continue operating in noncompliance.

3 193. PCL failed to accommodate or supply services, even after Todd multiple requests for
4 the provision of "teach-out" or other classes to accommodate the State Bar's communicated
5 requirements and PCL's commitments.

6
7 193A. In addition to passive awareness, certain State Bar employees, acting within the scope of
8 their official duties, affirmatively chose to withhold enforcement actions, downplayed transcript
9 irregularities in correspondence with PCL, and delayed investigation of Plaintiff's CPRA and
10 grievance submissions. These omissions occurred in the face of specific, documented violations
11 and materially contributed to Plaintiff's harm. Plaintiff alleges that such conduct constitutes
12 more than regulatory inaction; it reflects coordinated administrative indifference in violation of
13 statutory oversight obligations. Plaintiff asserts that Defendants were emboldened by the
14 conduct and circumstances.

15
16 194. Spiro appears to dismiss Plaintiff's concerns and downplays the severity of the issues
17 at PCL, which could be seen as further evidence of negligence in addressing the situation.
18 (See Exhibit 6)

19 195. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be
20 proven at trial.

21
22 196. This conduct is alleged to constitute inclusively negligence, under the common law,
23 statutory or negligence per se doctrines as it violated statutes, regulations, and rules designed
24 to protect individuals like the plaintiff and because the consequences are likely to have
25 resulted from the negligence or fault of the Defendants.
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1 197. **Res Ipsa Loquitur:** Alternatively, the doctrine of Res Ipsa Loquitur applies to this
2 cause of action, as the harm Plaintiff suffered is of the type that ordinarily does not occur in
3 the absence of negligence. Specifically:

- 4 a. **Issuance of Multiple Erroneous Transcripts:** Over a period of years, Defendants
5 provided conflicting versions of Plaintiff's academic records, spanning from 2020
6 through 2023. This repeated issuance of erroneous transcripts suggests a systematic
7 failure in PCL's record-keeping and administrative processes that would not occur if
8 appropriate oversight mechanisms were in place.
- 9 b. **Failure to Recognize Completion of Required Coursework:** Despite clear evidence of
10 Plaintiff's completion of required coursework, PCL refused to award a degree. Such
11 conduct is extraordinary and demonstrates a failure to adhere to standard academic
12 practices and regulatory compliance.
- 13 c. **Non-Compliance with Regulatory Requirements:** Defendants' failure to comply
14 with established regulations under Rules 2.3(D), 4.241, and 9.1, despite having
15 exclusive control over administrative processes, record-keeping systems, and
16 compliance mechanisms, indicates negligence.
- 17 d. **State Bar's Failure to Enforce Compliance:** The State Bar's failure to enforce
18 compliance, despite documented reports of non-compliance and procedural
19 deficiencies, further underscores a lack of appropriate oversight that does not absolve
20 the Defendant's of their own duties or requisite oversight requirements, further
21 demonstrating negligence.

22 198. **Exclusive Control:** The instrumentalities causing the harm, namely the school's
23 administrative processes, educational services, record-keeping systems, and compliance
24 mechanisms, were all under the exclusive control of PCL's officers, directors, employees,
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1 and agents. Plaintiff, as a student, had no control over these processes and relied upon the
2 Defendants to fulfill their duties in good faith.

3 199. **No Contributory Negligence:** Plaintiff took reasonable steps to address transcript
4 discrepancies, propose compliant coursework solutions, and engage in dialogue with PCL
5 administrators and the State Bar. His efforts to resolve these issues were met with
6 obstruction, retaliation, and deception rather than appropriate corrective measures.
7 Therefore, the harm Plaintiff suffered was not the result of any failure on his part.
8

9 200. **Type of Harm Ordinarily Not Occurring Absent Negligence:** The harm suffered
10 by Plaintiff, including the denial of accurate transcripts, failure to receive a degree despite
11 completion of coursework, financial loss, and emotional distress, are not harms that
12 ordinarily occur in the absence of negligence. Properly maintained records, appropriate
13 administrative oversight, and compliance with established standards are essential functions
14 of any educational institution and regulatory body.
15

16 201. **Causal Connection to Defendants' Negligence:** Thus, applying the doctrine of Res
17 Ipsa Loquitur, the Defendants' negligence can be inferred from the circumstances
18 surrounding their failure to maintain accurate records, comply with regulatory requirements,
19 and provide adequate oversight. This inference is further supported by the Defendants' own
20 admissions of oversight failures, including Spiro's November 9, 2022, email, which
21 acknowledges PCL's failure to monitor Plaintiff's academic progress and the subsequent
22 probation and withdrawal of its charter to operate as a law school effective May 2024. Under
23 the doctrine of Res Ipsa Loquitur, the burden of proof shifts to the Defendants to provide
24 evidence that the harm was not caused by their negligence. As established in *Byrne v.*
25 *Boadle*, 2 H. & C. 722, 159 Eng. Rep. 299 (Ex. Ch. 1863) (holding that barrels do not fall
26 from warehouses without negligence) and *Ybarra v. Spangard*, 25 Cal. 2d 486, 154 P.2d 687
27
28

1 (Cal. 1944) (holding that the Res Ipsa Loquitur doctrine applies even when multiple parties
2 have control over the instrumentality causing harm), when the evidence strongly suggests
3 negligence under the exclusive control of Defendants, it is their responsibility to rebut this
4 presumption. Their continued failure to do so further supports Plaintiff's claims of
5 negligence.
6

7 202. The harm suffered by Todd— the denial of an accurate transcript and degree, the
8 financial loss, PCL's loss of charter and the emotional distress resulting therefrom – is not
9 the type of harm that ordinarily occurs in the absence of negligence. The instrumentalities of
10 harm, namely the school's administration, educational services, record-keeping systems, and
11 the State Bar's regulatory oversight, were under the exclusive control of the Defendants. The
12 Plaintiff, as a student, had no control over these instrumentalities and relied on the
13 Defendants to fulfill their duties. Therefore, it is reasonable to infer that the harm suffered
14 by Plaintiff was more likely than not caused by Defendants' negligence.
15

16 203. Defendants, as officers, directors, employees, and agents of PCL, owed a duty of
17 care to Plaintiff to act reasonably and prudently in their roles as administrators and educators
18 at the law school. Defendants breached their duty of care by failing to provide accurate and
19 timely transcripts, failing to award a degree despite Plaintiff's completion of the program
20 requirements, failing to maintain accurate records and provide timely access to them, failing
21 to adhere to student solicitation, recruitment, and matriculation standards, and failing to
22 oversee PCL's compliance with regulations. This conduct constitutes negligence per se as it
23 violated statutes, regulations, and rules designed to protect individuals like Plaintiff from the
24 harm suffered. As a direct and proximate result of their negligence and negligence per se,
25 Plaintiff suffered damages.
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1 204. PCL, and its employees, officers, agents, and appointees, owed a duty of care to
2 Plaintiff to act reasonably and prudently in their roles as offerors and regulators of legal
3 education. They breached their duty of care by failing to oversee PCL's compliance with
4 regulations, implementing and enforcing policies that harmed students, allowing PCL to
5 operate in a non-compliant and predatory manner, failing to address Plaintiff's complaints
6 and concerns, making untrue or misleading statements or omissions about the quality and
7 compliance of PCL's legal education program, PCL's fundraising and operating costs, and
8 the State Bar's enforcement of rules and regulations, implementing "underground rules" and
9 failing to follow mandated administrative procedures, failing to adopt or reconcile federal
10 and state unit hour requirements, failing to provide due process in handling Plaintiff's
11 exemption request, and allowing discriminatory practices in law school transfers. This
12 conduct constitutes negligence per se as it violated statutes, regulations, and rules designed
13 to protect individuals like Plaintiff from the harm suffered. As a direct and proximate result
14 of their negligence and negligence per se, Plaintiff suffered damages.

17 **205. Defendants breached their duty of care by:**

- 18 a. Failing to provide accurate and timely transcripts to Plaintiff. (See Exhibit 201A,
19 previously filed accompanying a request for judicial notice at ECF 102, p. 10, 37)
20 b. Failing to award a degree despite Plaintiff's completion of the program requirements.
21 c. Failing to maintain accurate records or provide access to them. (*Id.* at 10, 37)
22 d. Failing to adhere to student solicitation, recruitment, and matriculation standards.
23 (*Id.* at 10)
24 e. Failing to oversee PCL's compliance with regulations or implementing or enforcing
25 policies that harmed students, such as the "non-interference" policy. (*Id.* at 2)
26
27
28

- f. Allowing, facilitating, or encouraging PCL to operate in a non-compliant and predatory manner by conduct including failing to address Plaintiff's complaints and concerns. (*Id.* at 2)
- g. Making untrue or misleading statements about the quality and compliance of PCL's legal education program, PCL's fundraising and operating costs, students and the State Bar's enforcement of rules and regulations. (*Id.* at 9-10, 13-14, 20, 40-41)
- h. Failing to use tuition and donations for their intended purposes. (*Id.* at 13-14)
- i. Failing to provide an accounting of funds after lawful demands. (*Id.* at 13-14)
- j. Implementing "underground rules" and failing to follow mandated administrative procedures. (*Id.* at 9)
- k. Failing to adopt or reconcile federal or state unit hour requirements. (*Id.* at 31)
- l. No due process in handling Plaintiff's exemption request. (*Id.* at 6-7)
- m. Allowing discriminatory practices in law school transfers. (*Id.* at 62)
- n. Retaliating against Plaintiff for exercising his First Amendment right to free speech. (*Id.* at 44)

206. The State Bar's inspection report in 2020 identified numerous instances of PCL's non-compliance with educational standards, including inaccurate record-keeping and inadequate policies and procedures. Despite this knowledge, the State Bar's directors, officers, agents, and employees acting in their individual capacities failed to take timely and effective action to protect students from the harm caused by PCL's probable negligence, likely constituting negligence per se. The State Bar defendants in their individual capacities failure to take action against Spiro and Leonard, despite being aware of the serious allegations outlined in the Sitton Letter (Exhibit 5), likely constitutes negligence and a

1 breach of their fiduciary duty to protect the public. The State Bar's inaction allowed Spiro
2 and Leonard to continue their alleged misconduct, directly harming Todd and others.

3 207. Defendants' conduct, as described above, constitutes negligence per se as it violated
4 statutes, regulations, and rules designed to protect individuals like Plaintiff from the harm
5 suffered.

6
7 208. Plaintiff's harm is directly traceable to these negligent actions, as the policies and
8 practices of Defendants mirror those found unconstitutional in *Keyes v. School District No.*
9 *1, Denver, Colo.*, where similar failures in oversight and discriminatory practices led to
10 systemic educational inequality.

11 209. As a direct and proximate result of Defendants' negligence and negligence per se,
12 Plaintiff suffered economic damages, including but not limited to past and future lost wages,
13 tuition and fees paid to PCL, and other out-of-pocket costs. Plaintiff also suffered non-
14 economic damages, including emotional distress, pain and suffering, loss of enjoyment of
15 life, and damage to reputation.
16

17
18 **– FOURTH CAUSE OF ACTION –**

19 **CLAIM FOR NEGLIGENT HIRING, RETENTION, AND SUPERVISION**
20 **(Against the Peoples College of Law, The Board of Directors, Officers, and Agents of**
21 **Peoples College of Law, Spiro, Pena, Gillens, Silberger, Zuniga, Aramayo)**

22 210. Summary: This cause of action alleges that the Peoples College of Law (PCL), the
23 and individual agents, employees, directors and officers of the organizations breached their
24 respective duties of care by negligently hiring, retaining, and supervising their employees
25 and agents. This negligence resulted in these individuals acting outside the scope of their
26 employment or in violation of established laws and regulations, causing harm to the Plaintiff
27 and other similarly situated students. The failure of both the entities and directors, officers
28 and agents to adequately train, supervise, and monitor their personnel enabled them to

engage in misconduct, including discriminatory practices, failure to enforce regulations, and obstructionist conduct, thereby causing and contributing to Plaintiff's harm.

- i. Plaintiff hereby re-alleges and incorporates by reference each allegation contained in ¶¶ 35-210, with particular emphasis on the allegations of discriminatory policies and practices, failure to enforce regulations, negligent management of educational programs, improper hiring and retention of individuals known to engage in wrongful conduct, and inadequate training and supervision of personnel (see ¶¶ 15-37, 54-60, 69-76, 102-120).
- ii. Exhibits 1, 2, 3, 5, 6, and 201A: Providing evidence of inaccurate transcripts, the State Bar's reports of PCL's non-compliance, communications between parties, and the State Bar's inspection report, further supporting the various causes of action.

PCL's Negligent Hiring, Retention, and Supervision

211. PCL's negligent management of its educational programs, including maintaining inaccurate records, failing to provide necessary courses, and collecting unlawful fees, resulted in foreseeable harm to Plaintiff. Despite receiving notice of these issues through formal complaints and documented reports, PCL continued these practices without correction, directly impacting Plaintiff's educational progress and ability to transfer or graduate.

212. 148. Harm Caused by Non-Compliance:

213. Because of Defendants' conduct and willful non-compliance, Plaintiff was prevented from completing his legal education and obtaining his degree. This denial of educational opportunities caused Plaintiff financial and emotional harm, as well as impairment of his professional advancement.

214. Duty to Hire or Employ Agents Who Comply with Law:

1 215. PCL had a duty to hire or engage only those professors, deans, directors, agents, or
2 officers who would comply with the law and had a duty to properly train and supervise all to
3 ensure that they did so.

4 216. Defendants knew or should have known that their policies and actions were unlawful
5 or that their application would inevitably result in unlawful consequences. PCL agents,
6 directors, officers, and administrators had a duty to ensure employment or appointment as
7 agents those who would in good faith exercise reasonable judgement and effort to maintain
8 compliance with state statutes and State Bar regulations. As a regulated entity, PCL was
9 obligated to operate lawfully and ethically. The individual defendants, as officers and
10 employees of PCL, were responsible for upholding their professional and ethical obligations
11 and utilizing others who would do the same. (Id. at 9)

12 217. PCL breached that duty by hiring or continuously engaging Gonzalez, Pena, Spiro,
13 Sarinana, Sarin, Bouffard, Gillens, Franco, Sanchez, Torres, Deupree, Silbiger, Pomposo,
14 Zuniga, Aramayo, Maestas, and Venegas and then by failing to properly train and supervise
15 them, PCL allowed these individuals to operate in continual and egregious noncompliance
16 and discriminate against Plaintiff in retaliation for his efforts to correct the issues internally
17 and via external requests for assistance to the State Bar.

18 218. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be
19 proven at trial.

20 21 22 23 **REMEDIES & RELIEF REQUESTED**

24 219. Plaintiff re-alleges and incorporates by reference all prior allegations contained in
25 ¶¶ 1-220, insofar as they establish the Defendants' liability and the Plaintiff's entitlement
26 to the remedies sought herein.
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1 220. Todd did not receive an accurate transcript or degree after completion of the
2 curriculum and is owed money.

3 220A. As of the date of this filing, Plaintiff continues to experience ongoing harm. He has
4 not been issued an accurate or complete transcript, has been denied access to his own academic
5 file, and remains unable to fully complete bar licensure processes. These harms are directly
6 traceable to Defendants' acts and omissions and are continuing in nature, not limited to a fixed
7 historical event.

9 **A. Monetary Relief**

10 221. Compensatory damages in an amount to be proven at trial against all Defendants,
11 jointly and severally, for the harm caused by their conduct as described in the First through
12 Eighth Causes of Action.

13 222. Treble damages, totaling \$750,000.00, as allowed by Civil Code section 52(a)
14 against eligible Defendants, jointly and severally, for the harm caused by their conduct as
15 described in the Seventh Cause of Action.

16 223. Punitive damages against eligible Defendants, jointly and severally, to punish them
17 for their malicious and willful misconduct and to deter similar conduct in the future.

18 **B. Declaratory Relief**

19 224. A declaration that PCL's practices, as described in this Complaint, violate the Unruh
20 Civil Rights Act and the California Business and Professions Code.

21 **C. Injunctive Relief**

22 225. The Plaintiff respectfully requests that the Court order the Defendants to issue a
23 public statement acknowledging their wrongdoing and offering a sincere apology to the
24 Plaintiff and all other students who have been adversely affected by their actions and
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1 inactions. Such a statement should explicitly recognize the harm caused by the Defendants'
2 conduct and express a commitment to rectifying the systemic issues that allowed such harm
3 to occur.

4 226. The Plaintiff further requests that the Court order the Defendants to establish a
5 restitution fund to compensate all students who have suffered financial or other losses as a
6 result of the Defendants' conduct. The fund should be administered by an independent third
7 party and provide adequate compensation for tuition, fees, lost wages, and other damages
8 incurred by the affected students.
9

10 227. A permanent injunction ordering PCL to:

- 11 i. Cease all operations and dissolve as a corporation under Corporations Code
12 section § 6518.
13
14 ii. Refund all tuition and fees paid by Plaintiff.

15 **D. Other Relief**

- 16 i. An order directing PCL to provide Plaintiff with an accurate, complete, and
17 official transcript reflecting all coursework and grades earned, and to confer upon
18 Plaintiff a Juris Doctorate degree.
19

20 **E. Additional Remedies**

- 21 i. Civil penalties under Business and Professions Code sections §§ 17206, 17206.1,
22 and 17536 for violating the Business and Professions Code as proven at trial.
23
24 ii. The permanent removal of Defendants under Corporations Code section § 5223 as
25 the Court deems appropriate.
26
27 iii. A declaration of Plaintiff's "good faith" indemnification.
28
iv. Plaintiff's costs of suit and other costs under Government Code section § 12598.

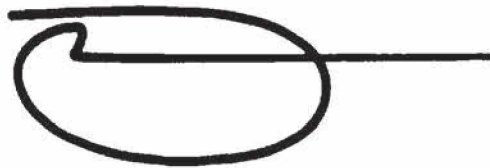
1 v. A statement of determination of PCL's Board Election Validity under California
2 Corporations Code section § 5716.

3 vi. Any other relief that the Court deems just and equitable.
4
5

6 **PLAINTIFF TODD HILL VERIFIES THE TRUTH AND BELIEF IN THE TRUTH OF**
7 **THOSE MATTERS DESCRIBED "UNDER PENALTY OF PERJURY" AND THEREFORE**
8 **THIS COMPLAINT IS DEEMED VERIFIED UNDER THE PROVISIONS OF CODE OF**
9 **CIVIL PROCEDURE SECTION 446.**

10 Dated: ~~March 31~~ May 22, 2025

11 Respectfully submitted.

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14

15 Todd R. G. Hill
16 Pro Se Litigant
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Plaintiff's Proof of Service

This section confirms that all necessary documents will be properly served pursuant to L.R.

5-3.2.1

Service. This document will be/has been electronically filed. The electronic filing of a document

causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF

System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2)

all pro se parties who have been granted leave to file documents electronically in the case pursuant

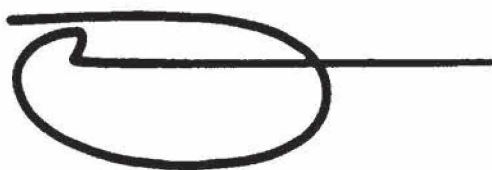
to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the

CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by F.R.Civ.P. 4 or L.R. 79-

5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil

Procedure, and the NEF itself will constitute proof of service for individuals so served.

~~March 31~~ May 22, 2025

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Todd R. G. Hill

**AffidavitDeclaration of Todd R. G. Hill in Support of the ~~Fourth~~Fifth Amended
Complaint**

I, Todd R. G. Hill, being duly sworn, depose and state as follows:

PERSONAL BACKGROUND AND ENROLLMENT AT PCL

1. I am over the age of 18, competent to testify, and make this ~~affidavit~~declaration based upon my personal knowledge unless otherwise stated.
2. I am the Plaintiff in the case against Hill v. The Board of Directors, Officers, and Agents and Individuals of Peoples College of Law (PCL), filed, currently pending in the United States District Court for the Central District of California, Case No. 2:23-cv-01298-JLS-BFM.
3. I am a registered law student with the Indiana, Texas and California State Bars. I am expected to receive my J.D. from Purdue Law School in 2025.
4. I took the February 2025 California Bar Exam.

4.5. The facts stated in this affidavit are true and correct to the best of my knowledge and belief.

BACKGROUND

- ~~5.6.~~ I was enrolled as a student at Peoples College of Law (PCL) and completed the required coursework for my degree.
- ~~6.7.~~ PCL officials, including Ira Spiro and Christina Gonzalez, have engaged in various acts of misconduct, including but not limited to: a. Manipulating academic records and transcripts; b. Denying access to courses necessary for completion of the program; c. Implementing policies that obstructed my educational progress; d. Retaliating against me for whistleblowing about procedural deficiencies and fraud; e. Engaging in discriminatory

1 practices, including preferential treatment of other students such as Nancy Popp, while
2 denying me comparable accommodations.

3
4 7.8. PCL's misconduct has caused me significant harm, including delayed certification,
5 reputational damage, emotional distress, and substantial financial losses associated with my
6 efforts to rectify their misconduct or consequences.

7
8 **RICO ALLEGATIONS & RELATED MISCONDUCT**

9 8.9. Since Beginning in 2020, I have repeatedly requested made repeated requests for
10 accurate transcripts and academic records from PCL, specifically and transcripts, including
11 through email Gmail communications using my Gmail account (e.g.,
12 toddryangregoryhill@gmail.com). On multiple occasions, I have paid transcript fees to receive
13 inaccurate transcripts multiple times but received documents that omitted or misrepresented my
14 academic record.

15
16 9.10. PCL officials, including Ira Spiro, Adriana Zuniga and Roger Aramayo, have
17 provided inaccurate transcripts on multiple occasions. For example, on or about June 15, 2022, I
18 received a transcript from Ira Spiro via email, which falsely stated that I had not completed
19 certain courses despite my submission of documentation proving completion. Transcripts have
20 also included fractional unit awards without adequate basis, hearing or process.

21 10.11. I have also received communications via Gmail from PCL officials, including Roger
22 Aramayo, that contained misleading statements about my academic standing. For instance, on
23 October 14, 2023, Aramayo stated via email that the institution was unable to provide accurate
24 transcripts due to administrative delays, despite having been provided with proof of course
25 completion months earlier.
26
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1 ~~11.12.~~ I have preserved copies of these email communications, which demonstrate
2 intentional efforts by PCL officials to obscure or falsify my academic progress and a consistent
3 pattern of misinformation and delay that obstructed my access to graduation and licensure.

4 ~~12.13.~~ Additionally, PCL officials have repeatedly failed to correct errors in my transcripts
5 even after acknowledging mistakes. Although I completed the totality of the required
6 coursework for issuance of a degree, I was not issued a degree.

7 ~~13.14.~~ PCL's failure to correct transcripts has materially impaired my ability to apply for
8 certification with the California State Bar and forced me to complete two years of additional
9 coursework at another institution at great personal and professional cost. Despite submitting
10 completed coursework and proof of compliance, I was unable to obtain the necessary
11 certifications to timely proceed.

12 ~~14.15.~~ As a result of these actions, I have suffered financial losses exceeding \$250,000 in
13 tuition payments, lost work opportunity, reputational harm, and significant emotional distress
14 from being unjustly obstructed from completing my legal education.

15 ~~15.16.~~ These actions form part of a continuous pattern of fraudulent conduct involving wire
16 and mail communications to deny me access to the benefits and opportunities I am entitled to
17 receive.

18 ~~16.17.~~ I have attached copies of relevant emails and transcripts demonstrating the specific
19 instances of misconduct described above.

20 UNRUH CIVIL RIGHTS ACT VIOLATIONS

21 ~~17.18.~~ I have been subjected to discriminatory treatment by PCL on the basis of my race
22 and protected advocacy, which violates the Unruh Civil Rights Act, California Civil Code §
23 51.
24

1 ~~18~~.19. Specific instances of discriminatory conduct include:

2 a. Refusal and failure to correct erroneous transcripts despite my repeated requests;

3
4 b. Arbitrarily denying me access to courses necessary for graduation;

5 c. Retaliating against me for attempting to address these issues and for exercising my rights
6 as a whistleblower.
7

8 ~~19~~.20. Other students, including Nancy Popp, were promptly provided with corrections to
9 their transcripts and accommodations that were denied to me.
10

11
12 **NEGLIGENCE AND NEGLIGENCE PER SE**

13
14 ~~20~~.21. PCL and its agents failed to exercise reasonable care in maintaining accurate
15 academic records, providing required courses, and enforcing compliance with relevant
16 regulations.
17

18 ~~21~~.22. PCL's violations of statutory and regulatory standards contributed directly to my
19 harm.

20 ~~22~~.23. PCL's negligent conduct included: a. Issuing erroneous transcripts; b. Refusing to
21 recognize my completion of coursework despite documentation; c. Implementing policies
22 that unjustly obstructed my educational progress.
23

24 ~~23~~.24. PCL's charter was involuntarily revoked, effective May 31, 2024, which I believe is
25 a result that I reasonably believe would not have occurred in the absence of protracted
26 negligence or willful misconduct.
27

28 **NEGLIGENT HIRING, RETENTION, AND SUPERVISION**

1 24-25. PCL failed to adequately hire, train, supervise, and monitor its personnel, allowing
2 discriminatory and retaliatory practices to occur unchecked.

3
4 25-26. I believe PCL had a duty to hire, supervise, and train its agents in a manner that
5 ensured their conduct conformed to institutional policies and applicable regulations. If
6 agents failed to comply, PCL was responsible for retraining them or terminating their
7 employment or engagement when necessary to maintain a lawful and compliant educational
8 environment.

9
10 26-27. PCL's failure to properly supervise its agents contributed directly to the harm I have
11 suffered.

12 27-28. The failure to provide me with the fourth year of study as required by its own
13 policies further demonstrates negligent oversight.

14
15 28-29. PCL's negligence in hiring, retention, and supervision allowed employees and agents
16 to engage in misconduct that harmed me.

17
18 ~~FURTHER AFFIANT SAYETH NOT.~~

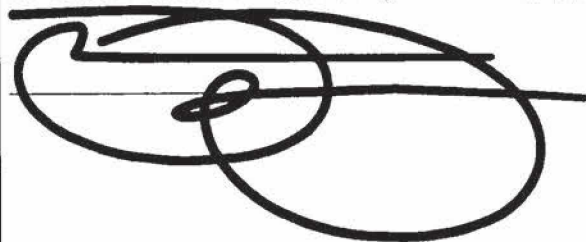
19 ~~I declare under penalty of perjury under the laws of the State of California that the foregoing is true~~
20 ~~and correct.~~

21
22 **CLARIFICATION REGARDING STATE BAR OFFICIALS**

23 30. Plaintiff does not assert claims in the Proposed Fifth Amended Complaint against Natalie
24 Leonard, Audrey Ching, Leah Wilson, or other personnel of the State Bar of California, in
25 any capacity. These individuals were previously named as defendants but were dismissed
26 with prejudice in connection with the Fourth Amended Complaint. While Plaintiff's Rule
27 59(e) motion remains pending, no claims are presently asserted against these individuals in
28

1 this pleading. Any references to them herein are included solely for factual context relating
2 to regulatory oversight, institutional posture, and the procedural record relevant to the
3 allegations against other parties. Plaintiff does not seek to reinstate liability against these
4 individuals through this amendment. I declare under penalty of perjury under the laws of the
5 State of California that the foregoing is true and correct.
6

7 Executed on this ~~31st~~^{22nd} day of ~~March~~^{May} 2025, at Belton, Texas.

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11 Todd R. G. Hill
12 Plaintiff, Pro Se Litigant
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TABLE OF EXHIBITS

1. Exhibit 1: Spiro Letter and Transcripts

Contains correspondence from Ira Spiro to Todd Hill, along with transcripts provided by PCL. The transcripts show material errors, including incorrect unit allocations and missing required information. Spiro's communications fail to address these discrepancies despite multiple requests for correction.

2. Exhibit 2: Popp Grievance Letter and 2020 Progress Report

Includes a formal grievance letter submitted by Nancy Popp to the PCL Board detailing inaccurate grading, lack of transparency in governance, and substandard instruction violating State Bar guidelines. Also includes a 2020 progress report by State Bar to PCL highlighting areas of non-compliance and failed attempts to remedy deficiencies.

3. Exhibit 3: Profiles in Outcomes Report

A 2023 State Bar report titled "Profiling the Outcomes of the FYLSX" which details disparities in bar passage rates across racial demographics. This report demonstrates that prolonged education timelines significantly reduce the likelihood of bar passage for African American students, supporting Todd Hill's claims of systemic inequities.

4. Exhibit 4: Email to Viramontes as Faculty Committee Chair Reviewing Student Handbook Changes (11242021)

Correspondence from Kevin Clinton to Viramontes as Faculty Committee Chair addressing proposed changes to the PCL Student Handbook intended to suppress student grievances from reaching the State Bar. This demonstrates PCL's attempts to silence complaints and shield itself from external scrutiny.

1 **5. Exhibit 5: Spiro Exchange - Crediting Pay Against Tuition**

2 Emails between Todd Hill and Ira Spiro regarding an arrangement to credit Hill's work against
3 his tuition fees. The exchange reveals inconsistencies in Spiro's accounting, resulting in breach of
4 contract and overcharges of approximately \$2,400. Hill's efforts to clarify these discrepancies are
5 obstructed by PCL administrators.

7 **6. Exhibit 6: Email Exchange from Spiro to State Bar (Leonard)**

8 Contains emails from Ira Spiro to Natalie Leonard of the State Bar discussing various issues but
9 omitting known problems of incorrect unit awards on student transcripts. The correspondence
10 demonstrates Spiro's awareness of compliance failures while misrepresenting PCL's operations to
11 the State Bar. This document was produced by the State Bar of California in response to a
12 California Public Records Act (CPRA) request. The relevant underlying facts, as contained within
13 Exhibit C of Plaintiff's Motion to Supplement the Record (ECF 199), were judicially noticed in
14 ECF 248 for the purpose of amending Plaintiff's complaint.

16 **7. Exhibit 7: Popp and Bell Election Committee Report**

17 A formal report detailing PCL's internal election process and related challenges to Todd Hill's
18 candidacy. The report illustrates irregularities and attempts to invalidate Hill's position on the PCL
19 Board through questionable review processes.

21 **8. Exhibit 8: Donor Call Squad Email (04282021)**

22 Exhibit 8 includes a series of emails related to PCL's fundraising activities and internal
23 communications between administrators, including Hector Pena, Ira Spiro, Christina Gonzalez,
24 and David Bouffard. The emails reveal inconsistencies between PCL's public fundraising
25 promises—asserting that “100% of proceeds” would be used for student needs and underserved
26 and underserved.

1 communities—and internal discussions suggesting potential misrepresentation or misuse of
2 those funds. Additionally, the Bouffard emails include statements indicating that David
3 Bouffard acted under the authority of then PCL President Hector Pena to block Todd Hill's
4 Zoom access, preventing him from attending classes. The emails reflect broader governance
5 issues and suggest retaliatory actions against Hill for his efforts to correct PCL's administrative
6 deficiencies.
7

8 **9. Exhibit 9: Email exchange between Sarinana and State Bar (Leonard)**

9
10 Correspondence from Sarinana to State Bar addressing ongoing administrative issues at PCL,
11 including discrepancies in grade uploads and transcript management. The email underscores PCL's
12 persistent non-compliance and administrative failures. This document was produced by the State
13 Bar of California in response to a CPRA request. The relevant underlying facts, as contained within
14 Exhibit C of Plaintiff's Motion to Supplement the Record (ECF 199), were judicially noticed in
15 ECF 248 for the purpose of amending Plaintiff's complaint.
16

17 **10. Exhibit 10: Chronological Timeline of PCL Defendants' Misconduct**

18 A detailed timeline from 2018 to 2024 summarizing key events and allegations involving
19 PCL's misconduct, administrative failures, retaliatory acts, fraudulent schemes, and regulatory
20 non-compliance. The timeline provides a comprehensive overview of Hill's grievances and
21 PCL's pattern of misconduct.
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EXHIBIT 9

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EXHIBIT 10

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11
12 TODD R.G. HILL,

13 Plaintiff,

14 v.

15 THE BOARD AND DIRECTORS,
16 OFFICERS, AND AGENTS AND
INDIVIDUALS OF PEOPLES
COLLEGE OF LAW, et al.,

17 Defendants.
18

No. 2:23-cv-01298-JLS-BFM

**ORDER DENYING
RECONSIDERATION**

19 **INTRODUCTION**

20 Before the Court is Plaintiff Todd R.G. Hill's Motion for reconsideration
21 of the Court's Order accepting the Magistrate Judge's Interim Report and
22 Recommendation. (ECF 253.) That Order dismissed many of the claims in
23 Plaintiff's Third Amended Complaint without leave to amend and dismissed
24 Defendants associated with the State Bar of California with prejudice. (See ECF
25 248.)

26 For the reasons stated below, the Court **DENIES** the Motion for
27 reconsideration.
28

PCL-SER-00107

BACKGROUND

On February 12, 2025, the Magistrate Judge issued an Interim Report and Recommendation, recommending dismissal of Plaintiff's Third Amended Complaint. (See ECF 213.) The Report recommended dismissal of all of Plaintiff's federal claims without leave to amend, with the narrow exception of his civil RICO claim. (ECF 213 at 29-30.) It also recommended dismissing all Defendants associated with the State Bar of California with prejudice. (ECF 213 at 32.)

Plaintiff filed Objections to the Interim Report and Recommendation (ECF 217) and several motions for judicial notice of various documents. (See ECF 222, 224, 227, 228, 232, 243.) He also filed a Motion for reconsideration reiterating points he raised in previous motions. (ECF 237.)

The Court accepted the Magistrate Judge's Interim Report and Recommendation on March 27, 2025. (ECF 248). Plaintiff again sought reconsideration on March 28, 2025. (ECF 253.) In his most recent Motion, Plaintiff argues that the Court committed clear error in accepting the Interim Report and Recommendation and failed to consider certain arguments and "newly" discovered evidence. Plaintiff later filed a supplement with additional "newly discovered" evidence. (ECF 259.)

DISCUSSION

I. Legal Standard

Motions for reconsideration are governed by Federal Rule of Civil Procedure 59(e). Reconsideration of a court's order is an "extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000) (citation omitted). Motions for reconsideration should not be granted

1 “unless the district court is presented with newly discovered evidence,
2 committed clear error, or if there is an intervening change in the controlling
3 law.” *389 Orange St Partners v. Arnold*, 179 F.3d 656 (9th Cir. 1999). Motions
4 for reconsideration may not “be used to raise arguments or present evidence for
5 the first time when they could reasonably have been raised earlier in the
6 litigation.” *Kona Enters.*, 229 F.3d at 890.

7 Motions for reconsideration are also governed by Local Rule 7-18, which
8 provides:

9 A motion for reconsideration of an Order on any motion or
10 application may be made only on the grounds of (a) a material
11 difference in fact or law from that presented to the Court that, in
12 the exercise of reasonable diligence, could not have been known to
13 the party moving for reconsideration at the time the Order was
14 entered, or (b) the emergence of new material facts or a change of
15 law occurring after the Order was entered, or (c) a manifest
16 showing of a failure to consider material facts presented to the
17 Court before the Order was entered. No motion for reconsideration
18 may in any manner repeat any oral or written argument made in
19 support of, or in opposition to, the original motion.

20 L.R. 7-18.

21 **II. Plaintiff's Motion for Reconsideration**

22 Plaintiff fails to establish any basis for reconsideration. He does not
23 identify any material difference in fact or law that could not have been known
24 with reasonable diligence at the time of the Court's decision, nor does he
25 establish a failure to consider material facts. *See* L.R. 7-18. Moreover, all of
26 Plaintiff's arguments were either raised before or could have been raised in
27 previous pleadings. With respect to the latter category of arguments, the Motion
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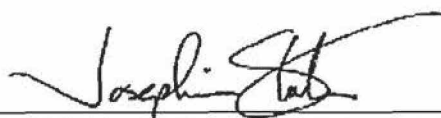
1 does not explain why those arguments could not have been raised earlier.

2 The only new evidence that could not have been presented sooner is the
3 April 2025 memorandum issued by the State Bar of California, which
4 summarizes the oversight and administrative functions of the Board of Trustees
5 and the Committee of Bar Examiners. (ECF 259 at 16-21.) The Magistrate
6 Judge concluded that Plaintiff's claims against the State Bar failed, principally,
7 because he had not plausibly alleged that that entity or its employees acted with
8 intent to discriminate. (*See, e.g.*, ECF 213 at 14-16 (dismissing Plaintiff's equal
9 protection claim for failing to plausibly allege the State Bar acted with intent to
10 discriminate).) And nothing in the State Bar memorandum suggests a different
11 conclusion. As such, though this evidence was not previously before the Court,
12 it does not warrant revisiting the prior decision to adopt the Report and
13 Recommendation.

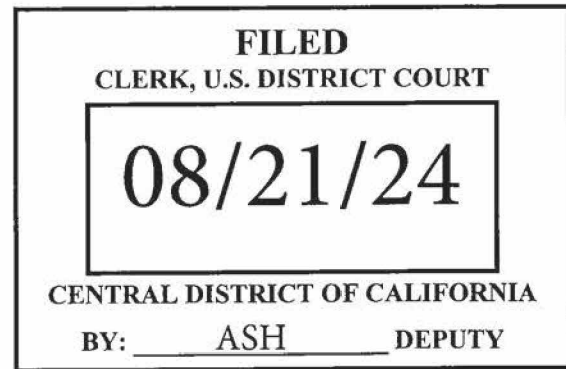
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15 **CONCLUSION**

16 For the foregoing reasons, the court **DENIES** the Motion for
17 Reconsideration (ECF 253).

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19 DATED: April 25, 2025

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21 _____
22 HONORABLE JOSEPHINE L. STATON
23 UNITED STATES DISTRICT JUDGE
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA,
WESTERN DIVISION**

TODD R. G. HILL, pro se,	)	Case No.: 2:23-CV-01298-JLS-BFM
	)	The Hon. Josephine L. Staton
	)	Courtroom 8A, 8th Floor
Plaintiff(s),	)	Magistrate Judge Brianna Fuller Mircheff
	)	Courtroom 780, 7th Floor
vs.	)	DEMAND FOR JURY TRIAL
	)	Unlimited Civil Case
THE BOARD OF DIRECTORS, OFFICERS	)	
AND AGENTS AND INDIVIDUALS OF THE	)	THIRD AMENDED COMPLAINT FOR
PEOPLES COLLEGE OF LAW; THE GUILD	)	DAMAGES, DECLARATORY &
LAW SCHOOL, a CALIFORNIA	)	INJUNCTIVE RELIEF ARISING FROM:
CORPORATION doing business as THE	)	I. EQUAL PROTECTION VIOLATION
PEOPLES COLLEGE OF LAW; CHRISTINA	)	UNDER THE 14TH AMENDMENT
MARIN GONZALEZ, ESQ.; HECTOR C.	)	II. VIOLATION OF THE UNRUH CIVIL
PENA; ROBERT IRA SPIRO, ESQ.; JUAN	)	RIGHTS ACT (CALIFORNIA CIVIL CODE
MANUEL SARINANA, ESQ.; PREM SARIN;	)	§ 51)
DAVID TYLER BOUFFARD; JOSHUA	)	III. TITLE VI OF THE CIVIL RIGHTS ACT
	)	OF 1964 - RACIAL DISCRIMINATION IN
	)	EDUCATION
	)	IV. RICO - DAMAGES UNDER
	)	RACKETEER INFLUENCED AND
	)	CORRUPT ORGANIZATIONS ACT

1 GILLENS, ESQ.; CLEMENTE FRANCO,) V. CONSPIRACY
2 ESQ.; HECTOR SANCHEZ; PASCUAL) VI. NEGLIGENCE AND NEGLIGENCE
3 TORRES, ESQ.; CAROL DEUPREE; GARY) PER SE
4 SILBIGER, ESQ.; EDITH POMPOSO;) VII. NEGLIGENT HIRING, RETENTION,
5 AND SUPERVISION
6 ADRIANA ZUNIGA NUNEZ; ROGER) VIII. VIOLATION OF TITLE IX OF THE
7 ARAMAYO; WILLIAM MAESTAS, ESQ.;) EDUCATION AMENDMENTS OF 1972
(20 U.S.C. § 1681)
8 ISMAEL VENEGAS; LOUISA)
9 AYRAPETYAN; NATALIE LEONARD;)
10 LEAH WILSON, ESQ.; BRANDON N.)
11 STALLINGS, ESQ.; RUBEN DURAN, ESQ.;)
12 HAILYN CHEN, ESQ.; AUDREY CHING,)
13 ESQ.; MELANIE M. SHELBY; ARNOLD)
14 SOWELL, JR.; MARK W. TONEY, PH.D.;)
15 PAUL A. KRAMER, ESQ.; JEAN)
16 KRASILNIKOFF, ESQ.; ELLIN DAVTYAN;)
17 GEORGE S. CARDONA, ESQ.; DEVAN
18 MCFARLAND; ENRIQUE ZUNIGA, ESQ.,
19
20

21 Defendant(s).
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23

24 **I.**
PARTIES

- 25 1. PLAINTIFF. Plaintiff Todd R.G. Hill ("Plaintiff" or "Todd") is an African American adult
26 residing in Quartz Hill, California, with an ADA-recognized disability.
27 2. DEFENDANTS:
28

- 1 3. Peoples College of Law ("PCL") is an unaccredited fixed-facility law school in Los
2 Angeles, California, subject to regulation by the State Bar of California. PCL offered
3 services to in-state and out-of-state students via the Internet.
- 4 4. Christina Marin Gonzalez, Esq. ("Gonzalez") was the President of PCL and is a PCL
5 graduate.
- 6 5. Hector C. Pena ("Pena") is a PCL graduate and has served as President and Board Treasurer.
- 7 6. Robert Ira Spiro, Esq. ("Spiro") was the Dean of PCL and has served in various roles,
8 including corporate counsel.
- 9 7. Juan Manuel Sarinana, Esq. ("Sarinana") was an adjunct professor and Dean of PCL.
- 10 8. Prem Sarin ("Sarin") based on personal experience and credible report is an individual and
11 PCL graduate who has served as a PCL Board Member from November 2021 and times
12 relevant to this matter.
- 13 9. David Tyler Bouffard ("Bouffard") based on information and belief has served as a PCL
14 Board Member from November 2021 and times relevant to this matter.
- 15 10. Joshua Gillens, Esq. ("Gillins") based on information and belief is an individual and PCL
16 graduate who has served as a PCL Board Member from November 2021 to the present.
- 17 11. Clemente Franco, Esq. ("Franco") based on information and belief has served as a PCL
18 Board Member from November 2021 to the present and is the acting Treasurer.
- 19 12. Hector Sanchez ("Sanchez") based on information and belief has past served as a PCL
20 Board Member and has engaged in conduct relevant here from November 2021 to the
21 present.
- 22 13. Pascual Torres, Esq. ("Torres") based on credible report is an individual associated with PCL
23 having served as Dean of the law school for a brief tenure in 2022.
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- 1 14. Carol Deupree ("Deupree") based on experience and credible report has served as a PCL
2 Board Member from November 2021 to the present.
- 3 15. Gary Silbiger, Esq. ("Silberger") based on information and belief is a co-founder of PCL
4 who has served as a Board Member at various times from 2018 to the present.
- 5 16. Edith Pomposo, ("Pomposo") is an individual associated with PCL. Pomposo has served as
6 Dean of the law school since February 2022.
- 7 17. Adriana Zuniga Nunez (Zuniga) is an individual associated with PCL in her former capacity
8 as PCL's paid Registrar.
- 9 18. Roger Aramayo ("Aramayo") is an individual associated with PCL in his capacity as PCL's
10 paid Registrar since June 2023.
- 11 19. William Maestas, Esq. ("Maestas") based on information and belief is a co-founder and
12 graduate of PCL. Maestas has served as a Board Member at various times from at least 2018
13 to the present.
- 14 20. Ismael Venegas ("Venegas") is an individual associated with PCL in his capacity as PCL's
15 Treasurer based on personal experience and credible evidence.
- 16 21. The following are current or former employees or affiliates of the State Bar of California
17 ("State Bar") named as Defendants in their individual capacities:
- 18 22. Louisa Ayrapetyan ("Ayrapetyan") is the Secretary for the Executive Director and Board of
19 Trustees of the State Bar.
- 20 23. Natalie Leonard ("Leonard") is an active licensee and Principal Program Analyst at the State
21 Bar of California, responsible for law school regulation and was the primary contact for PCL
22 compliance issues.
- 23 24. Leah Wilson, Esq. ("Wilson") is an active licensee and individual employed as the Executive
24 Director of the State Bar.
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1 25. Brandon N. Stallings ("Stallings") is an active licensee and Supreme Court Appointee and
2 current Chair of the State Bar Board of Trustees.

3 26. Ruben Duran, Esq. ("Duran") is an active licensee and market participant in the legal
4 services trade. Duran also provided legal services to the State Bar as a corporate officer and
5 Chair of the Board of Trustees.

6 27. Hailyn Chen ("Chen") is an active licensee and Supreme Court Appointee and Attorney
7 Member of the State Bar Board of Trustees.

8 28. Audrey Ching ("Ching") is an active licensee and Director of the Office of Admissions of
9 the State Bar and is responsible for law school regulation and staff oversight.

10 29. Melanie M. Shelby ("Shelby") is a Governor Appointee and Public Member of the State Bar.

11 30. Arnold Sowell, Jr. ("Sowell") is a Senate Appointee and Public Member of the State Bar.

12 31. Mark W. Toney, Ph.D. ("Toney") is a Governor Appointee and Public Member of the State
13 Bar.

14 32. Paul A. Kramer ("Kramer") is an active licensee and an individual providing legal services
15 as an agent and authority of the State Bar.

16 33. Jean Krasilnikoff, Esq. ("Krasilnikoff") is an active licensee and a person who provides
17 legal services as an employee, agent, or authority of State Bar.

18 34. George S. Cardona ("Cardona") is an active licensee and individual providing legal services
19 as an employee, agent, and authority of The Office of Chief Trial Counsel, The State Bar of
20 California.

II.
JURISDICTION AND VENUE

35. This action arises under the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961-1968, and supplemental jurisdiction is invoked over related state-law claims pursuant to 28 U.S.C. § 1367.

36. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction).

37. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because many of the events or omissions giving rise to the claims occurred in this District.

III.
FACTUAL ALLEGATIONS PERTINENT TO ALL CLAIMS

38. PCL's website actively recruits individuals from underrepresented communities, with a specific emphasis on advocacy for these groups.

39. PCL specifically targets students from disadvantaged backgrounds and communities with limited access to legal services.

40. In the Fall of 2019, Plaintiff enrolled at PCL, an unaccredited fixed-facility law school in Los Angeles, California.

41. Plaintiff's goals were to earn a Juris Doctorate, prepare to sit for the bar exam, and embark on a new career.

42. On information and belief, Todd was one of five African Americans in his 1L class of 22 students.

43. Plaintiff excelled in his studies, maintaining good academic standing.

44. Plaintiff was elected to serve on the Community Board and as Secretary of the College.

1 45. In June 2020, Plaintiff was one of two PCL students, and the only African American in his
2 cohort, to successfully pass the First-Year Law Students' Examination (FYLSX).

3 46. After passing the FYLSX, Plaintiff received copies of his transcripts, which contained
4 numerous errors, including incorrectly calculated class unit awards and missing required
5 information.

6 47. Plaintiff promptly informed defendants of these errors and sought to rectify them to ensure
7 compliance with statute and State Bar regulations, but his efforts were consistently
8 obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard.

9 48. On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,
10 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses
11 necessary for him to graduate.

12 49. Plaintiff's originally expected graduation date of May 2023 was delayed until May 2025.

13 50. As of the filing of this Third Amended Complaint, Plaintiff has never possessed an accurate
14 transcript or law degree, despite completing PCL's academic program.

15 51. As part of their gatekeeping function, State Bar Admissions staff, including Defendants
16 Wilson, Leonard, and Ching, were likely aware of PCL's record compliance issues before
17 Plaintiff matriculated.

18 52. The State Bar requires student transcripts to be submitted to verify eligibility prior to taking
19 the FYLSX.

20 53. Despite this knowledge and Plaintiff's repeated attempts to rectify the errors, the State Bar
21 failed to take any action.

22 54. In June 2021, a formal grievance was submitted to the PCL Board of Directors by a first-
23 year law student (1L), Nancy Popp.

1 55. The grievance detailed concerns about the school's operations, including inaccurate grading,
2 lack of transparency in governance, and inconsistent instruction.

3 56. It also highlighted failures to comply with the California State Bar's Guidelines for
4 Unaccredited Law Schools.

5 57. This grievance letter was shared with the State Bar as part of its ongoing review of PCL's
6 compliance.

7 58. Todd requested immediate assistance from the State Bar in reliance on their statutory
8 mandate and public DEI statements.

9 59. State Bar personnel and appointees stated refusal to intervene but supported PCL in its likely
10 noncompliance and student abuse.

11 60. The State Bar, through its directors, officers, and agents, including Ayrapetyan, Ching,
12 Davtyan, Duran, Leonard, Stallings, and Wilson, knew or should have known of PCL's
13 breaches, including inaccurate record-keeping, unlawful fee collection, and the constructive
14 denial of a degree.

15 61. The State Bar was also on notice of the disparate outcomes at PCL and in the legal education
16 marketplace, as evidenced by the 2020 Inspection Report (Exhibit 2) and the formal
17 grievance filed by Nancy Popp (Exhibit 3).

18 62. Despite this knowledge, the State Bar failed to take meaningful action to address these
19 issues, thereby perpetuating a pattern of disregard for educational standards and student
20 welfare that predates Plaintiff's enrollment in 2019.

21 63. The State Bar Act of 1927 established the State Bar's regulatory authority and scope of its
22 duties.

23 64. The State Bar Act is codified in the California Business & Professions Code Div. 3 -
24 Professions and Vocations Generally, Ch. 4 - Attorneys (Bus. & Prof. Code 6000 et seq.).
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1 65. Plaintiff believes that the State Bar rules and guidelines are regulations for purposes of
2 Government Code 11342.600.

3 66. The State Bar's failure to enforce accurate record-keeping and its rules or guidelines at PCL
4 directly impacted Todd's ability to transfer to another institution.

5 67. According to the State Bar's published information, approximately nine in one hundred
6 African American males that complete their first year at a school like PCL will pass the
7 FYLSX.
8

9 68. Year after year, African American males have had a persistent ninety-one percent failure
10 rate.

11 69. PCL, based on information and credible report, has had a greater than 90% attrition-rate for
12 African Americans overall since at least 2017.

13 70. The State Bar of California's Antitrust Policy mandates that all State Bar personnel "must
14 immediately report to OGC potential antitrust violations, including but not limited to
15 potential violations caused by actions of the State Bar or the Board of Trustees."
16

17 71. The State Bar of California operates under a "non-interference" policy in student disputes
18 with law schools, as outlined in Guideline 1.6 of the Guidelines for Unaccredited Law
19 School Rules (GULSR).
20

21 72. The State Bar's mandate includes promoting fair and open competition in the legal education
22 market, ensuring consumers (law students) receive the best combination of price and quality.

23 73. The State Bar's assistance or failure to act against PCL, despite its knowledge of the school's
24 non-compliance and predatory practices, demonstrates a pattern of inaction.

25 74. The State Bar's persistent failure to take decisive action against PCL, even when confronted
26 with overwhelming evidence of the school's non-compliance and predatory practices, reveals
27 a pattern of deliberate indifference that enabled the institution's harmful conduct.
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1 75. Furthermore, the individual State Bar defendants, acting outside their official capacities,
2 contributed to this pattern of inaction by failing to report or address PCL's misconduct,
3 despite their knowledge and professional obligations.

4 76. The State Bar and PCL engaged in a pattern of conduct to avoid accountability and frustrate
5 the proper application of administrative procedures, including the State Bar's refusal to
6 intervene in student disputes.

7 77. On December 2, 2022, during a recorded CSBARS meeting, Leonard reiterated to the public
8 the longstanding knowledge of PCL's failure to maintain compliance.

9 78. State Bar and the individual defendants failed to enforce regulations.

10 79. Despite Plaintiff's repeated attempts to seek redress from both PCL and the State Bar,
11 including filing complaints, requesting investigations, and attending meetings, the
12 defendants failed to take any meaningful action to address his concerns.

13 80. As early as December 10, 2021, the State Bar communicated its 'non-interference' policy to
14 Todd, stating that it did not intervene in disputes between students and their law schools.

15 81. The State Bar's non-interference policy facially conflicts with its plain-language statutory
16 mandate to protect the public.

17 82. The State Bar's refusal to intervene in student disputes, even in cases of alleged misconduct,
18 demonstrates a disregard for its responsibility to protect the public and ensure the integrity
19 of legal education.

20 83. The State Bar's inaction allowed a conflict of interest to occur, by allowing PCL to continue
21 operating in a non-compliant manner.

22 84. The State Bar's conduct, including a denial of Plaintiff's request for a "Special Circumstance
23 Exemption," demonstrates a pattern of intentional avoidance of procedural law, repeatedly
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1 failing to follow its own rules and procedures, denying Plaintiff due process, and hindering
2 his ability to seek redress for his grievances.

3 85. In December 2022, Plaintiff filed a Government Claims Act Form ("GCAF") obtained from
4 the State Bar's web site with copies of a draft complaint. No response was received.

5 86. On August 13, 2024, Plaintiff submitted an additional GCAF by email after an unanswered
6 request for waiver of mailing the physical copies sent to the reported destination of the form,
7 State Bar Secretary and defendant Ms. Arapetyan as well as co-defendant counsel
8 Krasilnikoff and others.
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10
11 **PLAINTIFF'S ENROLLMENT AND ACADEMIC PERFORMANCE**

12 87. PCL's website actively recruits individuals from underrepresented communities, with a
13 specific emphasis on advocacy for these groups. PCL specifically targets students from
14 disadvantaged backgrounds and communities with limited access to legal services,
15 exploiting their aspirations for social mobility and preying on their vulnerability.
16

17 88. In the Fall of 2019, Plaintiff enrolled at PCL, an unaccredited fixed-facility law school in
18 Los Angeles, California, with the goals of earning a Juris Doctorate, preparing to sit for the
19 bar exam and embarking on a new career.

20 89. On credible report and belief, Todd was one of five African Americans in his 1L class; two
21 males and three females, in a cohort of 22.
22

23 90. Todd registered with the State Bar as a student and paid the state administration fees.

24 91. Plaintiff excelled in his studies, maintaining good academic standing.

25 92. Todd was elected and served on the Community Board and as Secretary of the College.

26 93. In June 2020, Todd was one of two PCL students, and the only African American in his
27 cohort, to successfully pass the First-Year Law Students' Examination (FYLSE), a
28

1 requirement for continuing his legal education at PCL. To date, based on credible reports,
2 none of the twenty other members of his cohort passed.

3 94. After passing the FYLSX, Plaintiff received copies of transcripts with many errors,
4 including incorrectly calculated class unit awards and missing required information. Plaintiff
5 promptly informed defendants of these errors and sought to rectify them to ensure
6 compliance with statute and State Bar regulations, but his efforts were consistently
7 obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard. A true and accurate copy of
8 relevant transcripts and accompanying correspondence are attached as Exhibit 1.

9
10 95. On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,
11 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses
12 necessary for him to graduate.

13
14 96. Todds originally expected graduation date of May 2023 is now delayed until May 2025, a
15 two-year delay.

16 97. From 2019 until now, as of the filing of this Third Amended Complaint, Plaintiff has never
17 possessed an accurate transcript or law degree, despite completing PCL's academic program.

18 19 **STATE BAR'S KNOWLEDGE AND INACTION**

20 98. As part of their gatekeeping function, State Bar Admissions staff, including Defendants
21 Wilson, Leonard, and Ching, were likely aware of PCL's record compliance issues before
22 Plaintiff matriculated. Furthermore, the State Bar requires student transcripts to be submitted
23 to verify eligibility prior to taking the FYLSX. Despite this knowledge and Plaintiff's
24 repeated attempts to rectify the errors, the State Bar failed to take any action.

25
26 99. Todd requested immediate assistance from the State Bar in reliance on their statutory
27 mandate and public DEI statements. State Bar personnel and appointees stated refusal to
28 intervene but supported PCL in its likely noncompliance and student abuse.

1 100. The State Bar, through its directors, officers, and agents, including Ayrapetyan,
2 Ching, Davtyan, Duran, Leonard, Stallings, and Wilson, knew or should have known of
3 PCL's breaches, including inaccurate record-keeping, extortion, and the constructive denial
4 of a degree. The State Bar was also on notice of the disparate outcomes at PCL and in the
5 legal education marketplace, as evidenced by the 2023 State Bar report entitled, "Profiling
6 the Outcomes on the FYLS, a true and accurate copy obtained from the State Bar's website
7 as Exhibit 3 and the true and accurate copy of the formal grievance filed by Nancy Popp at
8 Exhibit 2. Despite this knowledge, the State Bar failed to take meaningful action to address
9 these issues, thereby perpetuating a pattern of disregard for educational standards and
10 student welfare that predates Plaintiff's enrollment in 2019.

11
12 101. State Bar has published data establishing that delays in completing the mandatory
13 education reduce the odds of individual bar passage and becoming an attorney in a 2023
14 report entitled Profiling the Outcomes of the FYLSX; a true and accurate copy of the report
15 is attached hereto as Exhibit 3.

16
17 102. In other words, length of study disproportionately affects students from marginalized
18 communities who may rely on transferring to improve their educational opportunities or
19 must transfer to viably complete their education. Data demonstrates that the State Bar's
20 actions and inactions, which caused significant delays in Plaintiff's legal education, have
21 directly harmed his chances of passing the bar exam and becoming an attorney, as evidenced
22 by findings in the Exhibit 3 report.

23
24 103. The State Bar Act of 1927 established the State Bar's regulatory authority and scope
25 of its duties. The State Bar Act is codified in the California Business & Professions Code
26 Div. 3 - Professions and Vocations Generally, Ch. 4 - Attorneys (Bus. & Prof. Code 6000 et
27
28

1 seq.). Plaintiff, based on information, believes that the State Bar rules and guidelines are
2 regulations for purposes of Government Code 11342.600.

3 104. Lack of Accurate Record-Keeping: The State Bar's failure to enforce accurate
4 record-keeping and its rules or guidelines at PCL directly impacted Todd's ability to transfer
5 to another institution, hindering his educational and career prospects.

6 105. According to the State Bars published information, approximately nine in one
7 hundred African American males that complete their first year at a school like PCL will pass
8 the FYLSX. Year after year, African American males have had a persistent ninety-one
9 percent failure rate. [See Exhibit 3]
10

11 106. PCL, based on information and credible report, has had a greater than 90% attrition-
12 rate for African Americans overall since at least 2017.
13

14 SUPPLEMENTAL ALLEGATIONS

15 107. Plaintiff further alleges that the discriminatory practices and disparate impact on
16 African American students, particularly the manipulation of academic records and denial of
17 necessary educational resources, mirror the unconstitutional actions addressed in *Keyes v.*
18 *School District No. 1, Denver, Colo.*, 413 U.S. 189 (1973). In *Keyes*, the Supreme Court
19 held that de facto segregation, as caused by the actions of the school board, violated the
20 Equal Protection Clause. Here, the State Bar and PCL, through their policies and actions,
21 have created and perpetuated a similar form of educational discrimination in this context.
22

23 108. Statistical evidence and reports will demonstrate that African American students at
24 PCL, including Plaintiff, have been disproportionately affected by the school's policies,
25 resulting in significantly lower graduation and bar passage rates, akin to the racial
26 segregation seen in *Keyes*.
27
28

1 109. The deliberate indifference and failure of the State Bar to rectify these known issues
2 further constitute a violation of the Equal Protection Clause, as the policies have had a
3 disparate impact on Plaintiff and similarly situated students.
4

5 **PCL'S NON-COMPLIANCE WITH EDUCATIONAL STANDARDS**

6 110. PCL, based on personal knowledge and credible reports, enrolled out-of-state
7 students that attended class remotely.
8

9 111. PCL failed to make timely disclosures, maintain accurate records, and adhere to
10 student solicitation and matriculation standards. PCL failed to comply with Rule 2.3(D) by
11 failing to make proper and timely mandatory disclosures to Plaintiff, prior to and after
12 matriculation, inclusive of academic years 2019, 2020, 2021, 2022, time of matriculation,
13 contract signing, and each year of his attendance. This failure to comply with Rule 2.3(D)
14 also includes the non-standard award of units and its actual non-compliance under Rule 9.1
15 (oversight of recordkeeping processes)
16

17 112. PCL did not disclose its non-compliance with State Bar regulations, including the
18 improper awarding of units, which prevented students from initial informed decision making
19 or later transfer to other law schools or timely qualifying for federal financial aid. (See
20 Exhibit 201A, previously filed accompanying a request for judicial notice at ECF 102, p. 9-
21 10)
22

23 113. PCL has a documented history of non-compliance with State Bar regulations dating
24 back to 2017, as evidenced by the 2020 Inspection Report (incorporated into Exhibit 2) and
25 subsequent probationary period. PCLs non-compliance is alleged to include inaccurate
26 record-keeping, grade inflation, inadequate policies and procedures, misleading disclosures,
27 and misuse of student funds. Despite numerous complaints and evidence of these issues, the
28 State Bar, through its officers, directors, employees, and agents, including Defendants

1 Ayrapetyan, Ching, Davtyan, Duran, Leonard, Stallings, and Wilson, failed to take
2 meaningful action, allowing PCL to continue operating in a predatory manner.

3 114. PCL's non-compliance with educational standards was so severe that the State Bar
4 ultimately revoked PCL's registration and terminated its degree-granting authority effective
5 May 31, 2024.

6 115. PCL manipulated student records and misrepresented its compliance status to induce
7 and maintain student enrollment. This is supported by:

- 8
- 9 a. Multiple versions of erroneous transcripts (Exhibit 1).
 - 10 b. The State Bar's investigative reports and press releases (Exhibits 201A and 201B).
 - 11 c. Student accounts or complaints, such as the letters from student and Plaintiff to PCL
 - 12 leadership (Exhibits 3 & 4).
 - 13 d. Statements made by the defendants themselves, such as the June 8, 2022, email from
 - 14 Spiro (Exhibit 6).
- 15

16 116. Planning improper elections and likely unlawful ousting. (See Exhibit 7, a true and
17 accurate copy of a draft PCL Election Committee Report detailing likely Bylaws violations
18 in the elections process and supporting emails.)

19 117. PCL's reported pass rates for the FYLSX and the California Bar Exam were
20 misleading and did not accurately reflect the actual number of students enrolled.

21 118. PCL misrepresented its pass rates, motivated to attract more students and maintain its
22 appearance as a legitimate institution. Furthermore, PCL failed to comply with Rule 4.241
23 and California Business and Professions Code 6061, which require law schools to provide
24 specific disclosures to students before they pay fees. This failure to disclose essential
25 information about the school's status, performance, and potential limitations is likely an
26
27
28

1 intentionally deceptive practice that misled students and deprived them of their right to make
2 informed decisions about their legal education

4 STATE BAR'S REGULATORY FAILURES

5 119. The State Bar of California's Antitrust Policy, established by the California Supreme
6 Court, mandates that all State Bar personnel "must immediately report to OGC potential
7 antitrust violations, including but not limited to potential violations caused by actions of the
8 State Bar or the Board of Trustees." This policy underscores a commitment to fair
9 competition and protecting the public from anti-competitive practices in the legal services
10 market.

12 120. Plaintiff has been unable to find any authorizing language in any statute granting the
13 State Bar the authority to treat law students differently from members of the public in regard
14 to any of its mandates, including its protective mandates, duties or obligations.

15 121. The State Bar of California operates under a "non-interference" policy in student
16 disputes with law schools, as outlined in Guideline 1.6 of the Guidelines for Unaccredited
17 Law School Rules (GULSR). It reads: "Neither the Committee nor any office of the State
18 Bar of California will intervene in disputes between students and their law schools. Student
19 complaints are reviewed to determine if they raise compliance issues under the Unaccredited
20 Law School Rules and, with the permission of the student, may be forwarded to the law
21 school." This policy, as applied by the State Bar, can allow for private institutions to take
22 open advantage of students without any fear of regulatory accountability because the
23 institution knows that it can do whatever it desires in wanton fashion and the State Bar will
24 refuse to offer aid or protection. (See Exhibit 201A, previously filed accompanying a request
25 for judicial notice at ECF 102, p. 2)
26
27
28

1 122. The State Bar's mandate includes promoting fair and open competition in the legal
2 education market, ensuring consumers (law students) receive the best combination of price
3 and quality.

4 123. The State Bar assistance or failure to act against PCL, despite its knowledge of the
5 school's non-compliance and predatory practices, demonstrates a pattern of inaction despite
6 knowledge of PCL's non-compliance.

7 124. The State Bar and PCL engaged in a pattern of conduct to avoid accountability and
8 frustrate the proper application of administrative procedures, including the State Bar's
9 refusal to intervene in student disputes. State Bar and PCL and the individual defendants
10 were likely on notice, e.g., on December 2, 2022, during a recorded CSBARS meeting,
11 Leonard reiterated to the public, committee members and staff their longstanding knowledge
12 of PCL's failure to maintain compliance.

13 125. State Bar and the individual defendants failed to enforce regulations. Despite
14 Plaintiff's repeated attempts to seek redress from both PCL and the State Bar, including
15 filing complaints, requesting investigations, and attending meetings, the defendants failed to
16 take any meaningful action to address his concerns, demonstrating a deliberate indifference
17 to his grievances and a disregard for their obligations to protect students. (Paragraph 34)

18 126. As early as December 10, 2021, the State Bar communicated its 'non-interference'
19 policy to Todd, stating that it did not intervene in disputes between students and their law
20 schools.

21 127. The State Bars non-interference policy facially conflicts with its plain-language
22 statutory mandate to protect the public and may constitute a neglect of its protective duties
23 because it appears to authorize the State Bar to treat law students differently than the general
24 public and without adequate notice.
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1 128. The State Bar's refusal to intervene in student disputes, even in cases of alleged
2 misconduct, demonstrates a disregard for its responsibility to protect the public and ensure
3 the integrity of legal education, despite its duty to protect the public and ensure the integrity
4 of legal education. (See Exhibit 201A, previously filed accompanying a request for judicial
5 notice at ECF 102, p. 2)

6
7 129. The State Bar's inaction allowed a conflict of interest to occur, by allowing PCL to
8 continue operating in a non-compliant manner. (See Exhibit 201A, previously filed
9 accompanying a request for judicial notice at ECF 102, p. 2)

10 130. The State Bar's conduct, including a denial of Plaintiff's request for a "Special
11 Circumstance Exemption," demonstrates a pattern of intentional avoidance of procedural
12 law, repeatedly failing to follow its own rules and procedures, denying Plaintiff due process,
13 and hindering his ability to seek redress for his grievances.

14
15 131. Government Code section 815.6 imposes liability on a public entity for injuries
16 proximately caused by its failure to discharge a mandatory duty imposed by an enactment
17 designed to protect against the risk of a particular kind of injury, unless the public entity
18 establishes that it exercised reasonable diligence to discharge the duty.

19
20 **– FIRST CAUSE OF ACTION –**
21 **EQUAL PROTECTION**
22 **VIOLATION UNDER THE 14TH AMENDMENT**
23 **(Against Wilson, Leonard, Kramer, Ching, Duran, Stallings, and Chen in their personal**
24 **capacities)**

25 132. **Summary:** This cause of action arises from the Defendants' systematic and
26 deliberate failure to provide African American students, including the Plaintiff, with equal
27 protection under the law, as required by the 14th Amendment. The Defendants, acting under
28 color of state law, implemented and enforced discriminatory policies and practices that
disproportionately harmed African American students at Peoples College of Law (PCL).

1 These practices included the manipulation of academic records, the denial of transfer
2 opportunities, and the failure to correct known compliance issues, all of which had a
3 disparate impact on Plaintiff and similarly situated students. Despite knowing the
4 discriminatory effects of their actions, the State Bar and its agents failed to take corrective
5 action, thereby violating the Plaintiff's constitutional rights.

6
7 133. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-
8 121, specifically those regarding the discriminatory policies and practices, the disparate
9 impact on African American students, and the failure of the State Bar to enforce compliance
10 (see ¶¶ 15-37, 54-60, 69-76, and 120-131).

11 134. Defendants, as employees or appointees of the State Bar and acting in their
12 individual capacities are alleged to have violated the plaintiff's right to equal protection
13 under the law by implementing and enforcing discriminatory policies, failing to ensure
14 equitable educational opportunities, and allowing non-compliant schools to freely operate.

15
16 135. Plaintiff alleges that the actions and inactions of the State Bar, through its officers,
17 directors, employees, and agents, acting under color of state law due to PCL's extensive
18 regulation by and relationship with the State Bar, and the State Bar, through its employees
19 acting outside their official capacities, have caused him harm due to the inaction in
20 addressing the discriminatory practices at PCL, which likely constitutes a violation of the
21 Equal Protection Clause of the Fourteenth Amendment.

22
23 136. As a direct and proximate result of the actions and inactions of PCL and the State
24 Bar, Plaintiff suffered damages, including but not limited to: (a) economic damages,
25 including tuition and fees paid to PCL; and (b) non-economic damages, including emotional
26 distress and loss of educational and professional opportunities.

1 137. The State Bar's inaction disproportionately affects African American students,
2 denying them equal access to educational opportunities and perpetuating systemic
3 inequalities in the legal profession.

4 138. The State Bar's oversight, through the actions and inactions of Wilson, Kramer,
5 Leonard, Ching, Duran, Stallings, and Chen in their personal capacities, in addressing the
6 disparity in pass rates between ABA and CBE-accredited schools, coupled with the "non-
7 interference" policy, has a disparate impact on students from schools like PCL, violating
8 their right to equal protection under the law. The State Bar's failure to address the known
9 disparities in FYLSX and GBX performance, as documented in its report 'Profiling the
10 Outcomes on the FYLSX,' demonstrates a disregard for the equal protection rights of
11 African American males. (See Exhibit 201A, previously filed accompanying a request for
12 judicial notice at ECF 102, p. 2)

13 139. The State Bar's failure, through the actions and inactions of Wilson, Leonard, Ching,
14 Duran, Stallings, and Chen in their personal capacities, to ensure equitable educational
15 opportunities and outcomes for all students, regardless of the accreditation status of the law
16 school, constitutes a denial of equal protection. (*Id.*)

17 140. The State Bar's "non-interference" policy, implemented and enforced by Wilson,
18 Leonard, Ching, Duran, Stallings, and Chen in their personal capacities, exacerbates this
19 disparity by preventing students from seeking redress for grievances and allowing non-
20 compliant schools to operate without accountability. (*Id.*)

21 141. Wilson, Leonard, Ching, Duran, Stallings, and Chen knew or should have known
22 that the policies were unlawful themselves or that their application would inevitably lead to
23 unlawful consequences. The State Bar, through the actions of these employees acting outside
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1 their official capacities, had a duty to ensure that its policies and regulations were lawful and
2 did not infringe upon students' rights.

3 142. As a result of the State Bar's actions and inactions, Plaintiff and other similarly
4 situated students have been denied equal access to a quality legal education and the
5 opportunity to pass the bar exam, leading to significant harm to their educational and
6 professional prospects.
7

8 143. The State Bar's extensive regulation of PCL, coupled with its acceptance of federal
9 funds, likely renders PCL a state actor for purposes of this action.

10 144. Peoples College of Law (PCL) receives federal financial assistance through the State
11 Bar of California's receipt of federal funds.

12 145. The State Bar of California exercised substantial control over PCL and its
13 educational programs through its regulatory authority.
14

15 146. Defendant Spiro, as Dean of PCL, acted under color of state law given the extensive
16 regulation and entanglement between the State Bar and PCL.

17 147. Defendant Leonard, as the Principal Program Analyst for the State Bar, also acted
18 under the color of state law in her regulatory capacity over PCL.

19 148. This disparate treatment is further evidenced in Exhibit 6, where Spiro engages in
20 extensive communication with Popp but appears dismissive and unhelpful in his
21 communication with Todd. Nancy Popp's transcripts were corrected promptly, while Todd's
22 transcripts remained uncorrected for such a long time. This fact is likely evidence of
23 discrimination or discrimination based on protected status or arbitrary and capricious
24 conduct in the handling of student records.
25
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1 149. The State Bar and Defendant Spiro knew or should have known about discrimination
2 at PCL, as shown by the disparate treatment of Todd, an African American male, and Nancy
3 Popp, a white female, regarding the correction of their transcripts.

4 150. Despite knowing about the discrepancy in treatment based on sex, the State Bar took
5 no action to rectify the situation.

6 151. As a result of the State Bar's and Defendant Spiro's discriminatory conduct, Plaintiff
7 and other similarly situated students have been denied equal access to educational
8 opportunities and suffered damages, including, but not limited to, financial harm, emotional
9 distress, and loss of career opportunities.

10 152. The State Bar's inaction in the face of PCL's non-compliance is inconsistent with its
11 regulatory role. This entanglement between the State Bar and PCL establishes a basis for
12 holding the State Bar accountable for the discriminatory practices and constitutional
13 violations perpetrated by PCL and vice versa.

14 153. The State Bar's failure to enforce its own regulations and adequately oversee PCL's
15 operations, despite knowledge of its discriminatory practices, constitutes a violation of the
16 Equal Protection Clause.

17 154. The State Bar's 2020 inspection report highlighted the significant disparity in bar
18 passage rates between students from ABA-accredited law schools and those from
19 unaccredited schools like PCL. This disparity, coupled with the State Bar's failure to take
20 adequate measures to address it, demonstrates a discriminatory impact on students from
21 unaccredited schools, violating their right to equal protection under the law.

22 155. The State Bar's handling of the Plaintiff's complaints raises serious concerns
23 regarding the fairness and thoroughness of their evaluation process. On May 26, 2023, the
24 Special Deputy Trial Counsel communicated the results of their "independent review and
25
26
27
28

1 evaluation" solely through physical mail, despite the gravity of the allegations against Spiro
2 and Leonard, which mirrored the filed court complaint. (See Exhibit 5). Throughout this
3 process, the Plaintiff was never contacted by any investigator to provide additional
4 information or clarification regarding their complaints.

5
6 156. It is the Plaintiff's understanding that State Bar investigations are not held to the
7 same due process standards as judicial proceedings. However, the document received from
8 the State Bar did not indicate any investigative actions beyond a mere "review" of the
9 Plaintiff's submitted documents. This raises concerns about the thoroughness and
10 impartiality of the State Bar's evaluation process.

11 157. The actions of the State Bar Defendants, in their individual capacities, violated
12 clearly established statutory and constitutional rights. Their failure to enforce regulations,
13 implement discriminatory policies, and retaliate against Plaintiff for exercising his First
14 Amendment rights are violations of well-established legal principles. A reasonable person in
15 their position would have known that their conduct was unlawful.

16
17 158. The State Bar as monopoly regulator, along with these specific individuals acting
18 under color of law and in their individual capacities, intentionally enforce or fail to enforce
19 rules that result in a "separate but equal" approach to legal education, disadvantaging
20 students from less expensive, unaccredited law schools. Consequently, this is likely a
21 violation of the Equal Protection Clause under the 14th Amendment.

22
23 **– SECOND CAUSE OF ACTION –**
24 **VIOLATION OF THE UNRUH CIVIL RIGHTS ACT**
25 **(CALIFORNIA CIVIL CODE § 51)**
(Against Gonzalez, Pena, Spiro, Sarinana, Leonard, Ching)

26 159. **Summary:** This cause of action is based on the Defendants' violation of the Unruh
27 Civil Rights Act by engaging in discriminatory practices that denied the Plaintiff full and
28 equal accommodations, advantages, facilities, privileges, or services in the educational

1 opportunities provided by PCL. The Defendants, including PCL and its agents, engaged in
2 conduct that discriminated against the Plaintiff on the basis of race, denying him equal
3 access to the educational resources and opportunities provided to other students. This
4 discrimination was further compounded by the State Bar's failure to enforce its own
5 regulations and to protect the rights of students, including the Plaintiff, thereby violating the
6 Unruh Civil Rights Act.

7
8 160. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-
9 121, with particular emphasis on the allegations concerning the denial of full and equal
10 accommodations and the discriminatory treatment based on race (see ¶¶ 22-30, 56-58, and
11 83-90, and 120-131).

12
13 161. Defendant PCL, as a private trade school that provides legal training in exchange for
14 tuition, is a business establishment within the meaning of California Civil Code § 51.

15 162. Defendant natural persons, as agents of PCL or employees or appointees of the State
16 Bar, and each of them acting in their individual capacities are alleged to have engaged in
17 discriminatory practices that denied the plaintiff equal access to educational opportunities
18 and services.

19 163. A substantial motivating reason for Defendants' conduct was his race or gender or
20 sexual orientation. Alternatively, a substantial motivating reason for Defendants' conduct
21 was Todd's disability.

22
23 164. The alleged discriminatory practices had a disparate impact on Todd due to his race,
24 denying him equal access to educational opportunities, services, employment and protection.

25 165. Plaintiff alleges that the actions and inactions of PCL, through its officers, directors,
26 employees, and agents, acting under color of state law due to PCL's extensive regulation by
27 and relationship with the State Bar, and the State Bar, through its employees acting outside
28

1 their official capacities, have caused him harm due to the lack of an accurate transcript and
2 the planned and intentional denial of a degree.

3 166. Gonzalez, Pena, Spiro, and Sarinana, as agents of PCL, and Leonard and Ching, as
4 employees of the State Bar acting outside their official capacities, engaged in discriminatory
5 practices that denied Plaintiff equal access to educational opportunities and services.

6 167. The acts or omissions used to obtain this result include:

- 7 a. Gonzalez, Pena, Spiro, Sarinana, Leonard, and Ching denied, conspired to deny, or
8 conspired to aid or incite a denial of the full and equal advantages, facilities,
9 privileges, or services in the educational opportunities offered by PCL.
10
11 b. The State Bar's failure or complicity, through the actions of Leonard and Ching, to
12 adequately oversee and regulate PCL's operations, despite knowledge of its non-
13 compliance. (See Exhibit 201A, previously filed accompanying a request for judicial
14 notice at ECF 102, p. 2)
15
16 c. The State Bar's "non-interference" policy were likely implemented and enforced by
17 Leonard and Ching and disproportionately affected students from unaccredited
18 schools. (*Id.*)
19
20 d. PCL's misleading advertising and recruitment practices that targeted vulnerable
21 communities, as facilitated by Gonzalez, Pena, Spiro, and Sarinana. (*Id.* at 42)
22
23 e. PCL's failure to provide a quality education and accurate transcripts, because of the
24 actions and inactions of Gonzalez, Pena, Spiro, and Sarinana. (*Id.* at 9-10)

25 168. The State Bar's failure to intervene in PCL's discriminatory practices, including in
26 allowing certain records to be corrected with the remainder uncorrected, despite its
27 regulatory authority and knowledge of the issues, constitutes a violation of the Unruh Civil
28 Rights Act.

1 169. The State Bar's regulations, implemented and enforced by specific individuals acting
2 under color of law and in their individual capacities, impose additional requirements on
3 graduates of unaccredited law schools, such as Plaintiff, seeking to practice law. These
4 requirements may create barriers to entry into the legal profession, potentially impacting the
5 interstate market for legal services.

6
7 170. By requiring an additional year of study, the State Bar, through its agents and
8 employees acting both officially and individually, likely infringes on constitutional rights
9 under the 5th Amendment's Takings Clause or other amendment, given that the additional
10 requirement as applied likely cannot be justified under scrutiny or by a rational educational
11 or regulatory purpose.

12
13 171. Todd argues the requirement of an additional year and attendance at another school
14 for award of his Juris Doctorate constitutes an unlawful taking of property (his time,
15 opportunity, "heightened" graduation requirements and investment in education) or
16 pecuniary interests without just compensation. This "requirement" appears to be enforced by
17 individuals acting both officially and in their individual capacities.

18
19 172. The requirement of an additional year and attendance at another school to "earn" his
20 Juris Doctorate without clear statutory backing is alleged to constitute a due process
21 violation under the 14th Amendment, perpetrated by the State Bar and including these
22 specific individuals acting in their official and individual capacities.

23 173. The State Bar, through its officials and employees, allows schools targeting
24 vulnerable classes to operate under conditions likely to result in student failure, without
25 adequate oversight or intervention.

26 174. As a result of these discriminatory practices, Plaintiff suffered financial harm,
27 emotional distress, and a loss of educational and professional opportunities.
28

**– THIRD CAUSE OF ACTION –
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 –
RACIAL DISCRIMINATION IN EDUCATION
(Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson, Stallings,
Duran, and Chen)**

174. Summary: This cause of action asserts that the Defendants violated Title VI of the Civil Rights Act of 1964 by engaging in racially discriminatory practices in the administration of educational programs at PCL, a program receiving or benefiting from federal financial assistance. The Defendants, including the named individuals, the State Bar and PCL, engaged in practices that disproportionately impacted African American students, including the Plaintiff, such as the manipulation of academic records and the intentional delay in awarding degrees. These actions resulted in significant harm to the Plaintiff, including emotional distress, loss of educational opportunities, and financial damages. The Defendants' actions and inactions constitute a violation of Title VI's prohibition against racial discrimination in federally funded programs.

175. Here, Defendants refers to all named defendant natural persons in their individual capacities and named immediately below the caption for this Third Cause.

176. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-132, particularly those detailing the racially discriminatory practices, the disparate impact on Plaintiff's educational opportunities, and the State Bar's knowledge of and failure to address these issues (see ¶¶ 31-45, 78-90, and 116-131).

177. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in any program or activity receiving federal financial assistance.

178. Peoples College of Law (PCL) and the State Bar of California, through their regulation and receipt of federal funds, are subject to the mandates of Title VI.

1 179. Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, as individuals and as
2 part of PCL's administration, directly engaged in racially discriminatory practices, such
3 as the manipulation of academic records and delay in awarding degrees.

4 180. Leonard, Wilson, Stallings, Duran, and Chen failed to take action against PCL
5 despite being aware of its non-compliance and the disparate impact on African American
6 students, thus violating Title VI by allowing a federally funded program to engage in
7 racial discrimination.
8

9 181. The conduct, rules set, and circumstances surrounding the State Bar's oversight of
10 unaccredited law schools, and particularly its interactions with Peoples College of Law
11 (PCL), strongly suggest the existence of **de jure, de facto or combination**
12 **discriminatory schemes** that disproportionately impact African American students.
13

14 182. The State Bar's refusal to intervene in student disputes, even in cases of clear
15 misconduct and non-compliance, further reinforces this discriminatory scheme. By
16 abdicating its responsibility to protect students and uphold educational standards, the
17 State Bar allows institutions like PCL to operate without accountability, perpetuating a
18 cycle of exploitation and inequality.

19 183. The cumulative effect of these actions and policies creates a de facto, if not de jure,
20 system of segregation in legal education. The State Bar's inaction, coupled with PCL's
21 discriminatory practices, effectively denies African American students equal access to a
22 quality legal education and the opportunity to succeed in the legal profession. This
23 systemic discrimination violates the core principles of Title VI and the Equal Protection
24 Clause, demanding redress and reform.
25
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1 184. The intentional discrimination or, in the alternative, the disparate impact of
2 Defendants' actions and policies, has caused Plaintiff significant harm, including
3 emotional distress, loss of educational opportunities, and financial damages.

4 185. Defendants, by engaging in the discriminatory practices alleged in this complaint,
5 including but not limited to the manipulation of Plaintiff's academic records, the denial
6 of transfer opportunities, and the overall disparate treatment of African American
7 students, have violated Plaintiff's rights under Title VI.
8

9 186. As a direct and proximate result of the discriminatory actions of Defendants, Plaintiff
10 has suffered, and continues to suffer, damages including but not limited to economic
11 loss, emotional distress, and loss of future professional opportunities.

12 187. Plaintiff seeks compensatory damages, declaratory relief, and injunctive relief,
13 including but not limited to an order requiring Defendants to cease all discriminatory
14 practices, implement equitable educational policies, and correct Plaintiff's academic
15 records.
16

17 **– FOURTH CAUSE OF ACTION –**
18 **RICO DAMAGES UNDER THE**
19 **RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT**
(Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson, Stallings,
20 Duran, and Chen)

21 188. **Summary:** This cause of action involves the Defendants' participation in a
22 pattern of racketeering activity in violation of the Racketeer Influenced and Corrupt
23 Organizations (RICO) Act. The Defendants, including PCL and the State Bar's agents,
24 engaged in a coordinated effort to defraud and exploit African American students,
25 including the Plaintiff, through actions such as the manipulation of academic records, the
26 intentional delay in awarding degrees, and the denial of transfer opportunities. These
27 actions were conducted through an enterprise affecting interstate commerce and involved
28

- 1 the operation of a law school and the regulation of legal education in California. As a
2 result of this racketeering activity, the Plaintiff suffered financial and emotional harm.
- 3 189. Here, Defendants refers to all named defendant natural persons in their individual
4 capacities and named immediately below the caption for this Fourth Cause.
- 5 190. At all relevant times, Defendants were and are "persons" within the meaning of
6 RICO 18 U.S.C. § 1961 (3) and § 1962 (c)-(d).
- 7 191. The Defendant natural persons are alleged to have participated in a pattern of
8 racketeering activity.
- 9 192. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-
10 150, focusing on the facts that demonstrate the pattern of racketeering activity, including
11 wire and mail fraud (see ¶¶ 45-65, 102-120), and the financial and emotional damages
12 suffered by the Plaintiff as a direct result (see ¶¶ 121-150, 185-186).
- 13 193. Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, and Sanchez participated in or
14 facilitated a pattern of racketeering activity, including wire and mail fraud and the
15 intentional manipulation of academic records to defraud students.
- 16 194. Leonard, Wilson, Stallings, Duran, and Chen as individuals at times claiming to act
17 in their capacities at the State Bar, either participated in or were deliberately indifferent
18 to the racketeering activities by allowing PCL's fraudulent practices to continue without
19 intervention, including times when their role or duty required action or provision of aid.
- 20 195. The pattern of racketeering activity, as alleged, is further demonstrated by the
21 parallel to the discriminatory practices addressed in *Keyes v. School District No. 1,*
22 *Denver, Colo.* The systematic targeting and exploitation of African American students,
23 through actions such as the manipulation of academic records, the intentional delay in
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1 awarding degrees, and the denial of transfer opportunities, constitutes a coordinated
2 effort to defraud and exploit a vulnerable population for financial gain.

3 196. From at least May 2019 to the present, Defendants engaged in a pattern of
4 racketeering activity to defraud Plaintiffs and similarly situated students and donors.

5 This activity included:

- 6
- 7 i. Wire and mail fraud: Disseminating misleading information about PCL's bar passage
8 rates and compliance status and sending deceptive communications to students and
9 donors.
- 10 ii. Extortion: Threatening to withhold certifications and access to education unless
11 unjustified payments were made.
- 12 iii. Unreasonable restraint of trade: The State Bar's inaction towards PCL's non-compliance,
13 which could be seen as anti-competitive, limited consumer choice, and negatively
14 impacted the quality of legal education. For example, the improper unit awards likely
15 functioned as a "poison pill" to disincentivize transfer, thus improving retention odds for
16 students that passed the FYLSX and sought transfer from PCL.
- 17
- 18 iv. Violations of State Bar Act §6001.1: Unlawfully awarding inadequate credits for legal
19 education services and failing to treat students as equal members of the public
- 20 v. Conflicts of interest and ethical breaches by State Bar attorneys: Failing to recuse
21 themselves despite clear conflicts of interest, creating an unfair discovery shield, and
22 obstructing legal proceedings.
- 23
- 24 vi. Breaches of fiduciary duty and implied covenants of good faith and fair dealing:
25 Engaging in actions that harmed the interests of students and donors.
- 26 vii. Violations of constitutional rights: Discriminating against students based on their
27 constitutional rights and suppressing free speech.
- 28

viii. Antitrust Policy: The State Bar's Antitrust Policy mandates that all personnel report potential antitrust violations. Despite this, Leonard, Wilson, Stallings, Duran, and Chen, in their roles at the State Bar, likely failed to report PCL's anti-competitive practices, such as misleading advertising, manipulating student records, pricing at the cost of compliance, and creating barriers to transfer which could manifest an unreasonable restraint of trade. This failure to report constitutes a breach of their duty under the State Bar's Antitrust Policy.

197. These actions were conducted through an enterprise that affected interstate commerce and involved the operation of a law school and the regulation of legal education in California.

198. In their individual capacities, State Bar employees, officers, directors, or agents participated in or were deliberately indifferent to PCL's pattern of racketeering activity, facilitating the continuation of the alleged scheme. The defendants' alleged misconduct raises serious concerns about their adherence to professional and ethical obligations.

199. These actions have not only caused economic harm to Plaintiff but have also perpetuated systemic racial inequalities within the legal education system, which is a fundamental violation of federal law, including but not limited to RICO statutes and anti-discrimination laws.

200. As a direct and proximate result of Defendants' RICO violations, Plaintiff suffered financial harm, including tuition payments and loss of future earnings, as well as emotional distress and other damages.

**– FIFTH CAUSE OF ACTION –
CONSPIRACY**

**(Against Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson,
Stallings, Duran, and Chen)**

1 201. **Summary:** This cause of action alleges that the Defendants conspired to deprive
2 the Plaintiff of his civil rights, specifically his right to a fair education and career
3 progression. The Defendants, including PCL and agents of the State Bar, engaged in a
4 coordinated effort to manipulate the Plaintiff's academic records, deny him viable
5 transfer options, and obstruct his ability to complete his legal education. This conspiracy
6 was motivated by discriminatory animus and involved actions such as the
7 implementation of the State Bar's non-interference policy and the denial of the
8 Plaintiff's exemption requests. The Defendants' actions were designed to harm the
9 Plaintiff and prevent him from achieving his educational and professional goals.
10

11 202. These defendants, as agents of PCL or employees or appointees of the State Bar and
12 acting in their individual capacities are alleged to have engaged in a conspiracy to
13 deprive the plaintiff of his civil rights to a fair education and career progression by
14 manipulating his transcript, denying him transfer options, failing to process his
15 exemption request, conspiring to oust him as a duly elected corporate officer, and
16 implementing the State Bar's non-interference policy.
17

18 203. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-
19 165.
20

21 204. Defendants engaged in a conspiracy to deprive Plaintiff of his civil rights to a fair
22 education and career progression. (See Exhibit 201A, previously filed accompanying a
23 request for judicial notice at ECF 102, p. 95)
24

25 205. Alternatively, the alleged conspiracy to deprive Plaintiff of his civil rights was
26 motivated by racial animus.
27
28

1 206. Exhibit 6 reveals communications between Spiro and members of the State Bar,
2 suggesting a potential coordinated effort to downplay or ignore PCL's non-compliance
3 issues.

4 207. The State Bar, despite being expressly informed of PCL's non-compliance with state
5 and federal regulations as early as 2017, failed to intervene or take substantive action for
6 over two years, as admitted in a published letter on June 21, 2022.

7 208. Communications between Spiro and members or employees of the State Bar suggest
8 a potential coordinated effort to downplay or ignore PCL's non-compliance issues. (See
9 Exhibit 6)

10 209. The State Bar's inaction enabled the individual State Bar Defendants to act outside
11 their official capacities, including Wilson, Leonard, Ching, Duran, Stallings, and Chen,
12 to engage in a pattern of conduct that violated Plaintiff's rights. These defendants, acting
13 under color of law, either knowingly acted ultra vires or in excess of their authority, or
14 enforced unlawful rules or rules that were certain to produce unlawful outcomes, causing
15 harm to Plaintiff.

16 210. This conspiracy involved:

- 17 a. The manipulation of Plaintiff's transcript. (See Exhibit 1)
- 18 b. The denial of viable transfer options. (See Exhibit 201A at ECF 102, p. 45)
- 19 c. The failure to process his exemption request in good faith. (*Id.* at 6-7)
- 20 d. Implementation and/or enforcement of the "non-interference" policy. (*Id.* at 2)
- 21 e. Disseminating misleading information about PCL's compliance status. (*Id.* at 9-10)
- 22 f. Protracted failure to reasonably oversee and regulate PCL's operations. (*Id.* at 2)
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1 211. The State Bar made public statements about its commitment to diversity, equity, and
2 inclusion (DEI) while also failing to address the discriminatory practices at PCL. This
3 fact suggests a deliberate effort to mislead the public and potential students.

4 212. The State Bar or its employees or appointees of the State Bar acting in their
5 individual capacities prolonged inaction and failure to enforce regulations, despite
6 knowledge of PCL's misconduct, raises questions about their commitment to protecting
7 students, upholding regulatory standards and capacity.

8 213. Because of this conspiracy, Plaintiff was prevented from completing his legal
9 education and obtaining his degree, causing him financial and emotional harm.

10 214. Defendants knew or should have known that the policies were unlawful themselves
11 or that their application would inevitably lead to unlawful consequences. The State Bar,
12 through the actions and inactions of Wilson, Leonard, Ching, Duran, Stallings, and
13 Chen, had a duty to ensure that its policies and regulations were lawful and did not
14 infringe upon students' rights. PCL, as a regulated entity, had a duty to comply with the
15 State Bar's regulations and to operate in a lawful and ethical manner. The individual
16 defendants, as officers and employees of the State Bar and PCL, had a duty to act in
17 accordance with the law and to uphold their professional and ethical obligations. (*Id.* at
18 9)

19 215. Despite this knowledge and these duties, Defendants engaged in a pattern of conduct
20 that violated Plaintiff's rights and caused him harm. This conduct reveals a deliberate
21 disregard for the law and a willingness to prioritize their own interests over the rights of
22 the students they were supposed to serve. Thus, Defendants are liable for the damages
23 caused by their conspiracy.

24 – SIXTH CAUSE OF ACTION –
25 NEGLIGENCE AND NEGLIGENCE PER SE
26

(Against All Defendants)

216. **Summary:** This cause of action arises from the Defendants' negligent actions, including the failure to provide accurate transcripts, the delay in awarding degrees, and the lack of proper oversight of PCL's compliance with educational standards. The Defendants, including PCL and the State Bar, had a duty to act reasonably and prudently in their roles as educators and regulators but breached this duty by failing to maintain accurate records, enforce compliance, and protect the rights of students, including the Plaintiff. These negligent actions disproportionately impacted African American students and violated established anti-discrimination statutes, constituting negligence per se. As a result, the Plaintiff suffered significant economic and non-economic damages.

217. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-180.

218. The negligent actions of PCL and the State Bar, including the failure to provide accurate transcripts, the delay in awarding degrees, and the lack of proper oversight, have disproportionately impacted African American students.

219. This conduct is not only negligent but also violates established anti-discrimination statutes, including Title VI and the Equal Protection Clause, thus constituting negligence per se.

220. Defendants, as officers and directors of PCL, had a duty to ensure the accuracy of student transcripts, timely offering of compliant legal education, and adherence to the educational contract and implied covenants of good faith and fair dealing. Their failure to do so constitutes a breach of this duty.

221. These defendants had a regulatory duty to oversee PCL's compliance with educational standards. Their failure to intervene or address known issues at PCL

1 constitutes negligence per se, as it violated statutes and regulations designed to protect
2 students like the Plaintiff.

3 222. Furthermore, the State Bar, through its officers and employees, had a duty to regulate
4 and oversee PCL's compliance with educational standards and regulations. This duty
5 arose from their statutory authority and public mandate to protect the public and ensure
6 the integrity of legal education. Their failure to adequately monitor PCL's compliance
7 constitutes a breach of this duty.

8
9 223. Defendants breached their duty of care by failing to provide accurate and timely
10 transcripts, failing to award degrees despite completion of program requirements, failing
11 to maintain accurate records, failing to adhere to student solicitation and matriculation
12 standards, failing to oversee PCL's compliance with regulations, allowing discriminatory
13 practices, and retaliating against Plaintiff for exercising his First Amendment rights.

14
15 224. Duran, Stallings, Kramer, Wilson, Chen, Ching, Gonzales, Spiro, Pena, Franco,
16 DeuPree, Silberger, Gillens, breached that duty by allowing their employees and agents
17 to act in opposition to or outside the scope of their employment to the detriment of the
18 Plaintiff, the Defendants, as agents of PCL or employees or appointees of the State Bar,
19 breached their duty to hire and utilize only individuals who would comply with the law
20 and to properly train and supervise those individuals to ensure compliance.

21
22 225. State Bar and PCL allowed Spiro, Pena, Gonzalez, Sarin, Bouffard, Maestas, Torres
23 to discriminate against Todd so that PCL could continue operating in noncompliance.

24 226. PCL failed to accommodate or supply services, even after Todd multiple requests for
25 the provision of "teach-out" or other classes to accommodate the State Bar's
26 communicated requirements and PCL's commitments.

1 227. Spiro appears to dismiss Plaintiff's concerns and downplays the severity of the issues
2 at PCL, which could be seen as further evidence of negligence in addressing the
3 situation. (See Exhibit 6)

4 228. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be
5 proven at trial.

6 229. This conduct is alleged to constitute inclusively negligence, under the common law,
7 statutory or negligence per se doctrines as it violated statutes, regulations, and rules
8 designed to protect individuals like the plaintiff and because the consequences are likely
9 to have resulted from the negligence or fault of the Defendants.

10 230. Alternatively, the doctrine of res ipsa loquitur applies. The harm suffered by Todd—
11 the denial of an accurate transcript and degree, the financial loss, PCL's loss of charter
12 and the emotional distress resulting therefrom – is not the type of harm that ordinarily
13 occurs in the absence of negligence. The instrumentalities of harm, namely the school's
14 administration, educational services, record-keeping systems, and the State Bar's
15 regulatory oversight, were under the exclusive control of the Defendants. The Plaintiff,
16 as a student, had no control over these instrumentalities and relied on the Defendants to
17 fulfill their duties. Therefore, it is reasonable to infer that the harm suffered by Plaintiff
18 was more likely than not caused by Defendants' negligence.

19 231. Defendants, as officers, directors, employees, and agents of PCL, owed a duty of
20 care to Plaintiff to act reasonably and prudently in their roles as administrators and
21 educators at the law school. Defendants breached their duty of care by failing to provide
22 accurate and timely transcripts, failing to award a degree despite Plaintiff's completion of
23 the program requirements, failing to maintain accurate records and provide timely access
24 to them, failing to adhere to student solicitation, recruitment, and matriculation

1 standards, and failing to oversee PCL's compliance with regulations. This conduct
2 constitutes negligence per se as it violated statutes, regulations, and rules designed to
3 protect individuals like Plaintiff from the harm suffered. As a direct and proximate result
4 of their negligence and negligence per se, Plaintiff suffered damages.

5
6 232. The State Bar of California, its Board of Trustees, the Office of Admissions, the
7 Office of General Counsel, and the Office of Chief Trial Counsel, and its employees,
8 officers, agents, and appointees, owed a duty of care to Plaintiff to act reasonably and
9 prudently in their roles as regulators of legal education. They breached their duty of care
10 by failing to oversee PCL's compliance with regulations, implementing and enforcing
11 policies that harmed students, allowing PCL to operate in a non-compliant and predatory
12 manner, failing to address Plaintiff's complaints and concerns, making untrue or
13 misleading statements or omissions about the quality and compliance of PCL's legal
14 education program, PCL's fundraising and operating costs, and the State Bar's
15 enforcement of rules and regulations, implementing "underground rules" and failing to
16 follow mandated administrative procedures, failing to adopt or reconcile federal and
17 state unit hour requirements, failing to provide due process in handling Plaintiff's
18 exemption request, and allowing discriminatory practices in law school transfers. This
19 conduct constitutes negligence per se as it violated statutes, regulations, and rules
20 designed to protect individuals like Plaintiff from the harm suffered. As a direct and
21 proximate result of their negligence and negligence per se, Plaintiff suffered damages.

22
23
24 233. Defendants breached their duty of care by:

- 25 a. Failing to provide accurate and timely transcripts to Plaintiff. (See Exhibit 201A,
26 previously filed accompanying a request for judicial notice at ECF 102, p. 10, 37)
27 b. Failing to award a degree despite Plaintiff's completion of the program requirements.
28

- c. Failing to maintain accurate records or provide access to them. (*Id.* at 10, 37)
 - d. Failing to adhere to student solicitation, recruitment, and matriculation standards.
(*Id.* at 10)
 - e. Failing to oversee PCL's compliance with regulations or implementing or enforcing policies that harmed students, such as the "non-interference" policy. (*Id.* at 2)
 - f. Allowing, facilitating, or encouraging PCL to operate in a non-compliant and predatory manner by conduct including failing to address Plaintiff's complaints and concerns. (*Id.* at 2)
 - g. Making untrue or misleading statements about the quality and compliance of PCL's legal education program, PCL's fundraising and operating costs, students and the State Bar's enforcement of rules and regulations. (*Id.* at 9-10, 13-14, 20, 40-41)
 - h. Failing to use tuition and donations for their intended purposes. (*Id.* at 13-14)
 - i. Failing to provide an accounting of funds after lawful demands. (*Id.* at 13-14)
 - j. Implementing "underground rules" and failing to follow mandated administrative procedures. (*Id.* at 9)
 - k. Failing to adopt or reconcile federal or state unit hour requirements. (*Id.* at 31)
 - l. No due process in handling Plaintiff's exemption request. (*Id.* at 6-7)
 - m. Allowing discriminatory practices in law school transfers. (*Id.* at 62)
 - n. Retaliating against Plaintiff for exercising his First Amendment right to free speech.
(*Id.* at 44)
234. The State Bar's own inspection report in 2020 identified numerous instances of PCL's non-compliance with educational standards, including inaccurate record-keeping and inadequate policies and procedures. Despite this knowledge, the State Bar's directors, officers, agents, and employees acting in their individual capacities failed to

1 take timely and effective action to protect students from the harm caused by PCL's
2 probable negligence, likely constituting negligence per se. The State Bar defendants in
3 their individual capacities failure to take action against Spiro and Leonard, despite being
4 aware of the serious allegations outlined in the Sitton Letter (Exhibit 5), likely
5 constitutes negligence and a breach of their fiduciary duty to protect the public. The
6 State Bar's inaction allowed Spiro and Leonard to continue their alleged misconduct,
7 directly harming Todd and others.
8

9 235. Defendants' conduct, as described above, constitutes negligence per se as it violated
10 statutes, regulations, and rules designed to protect individuals like Plaintiff from the
11 harm suffered.
12

13 236. The negligent actions of PCL and the State Bar, including the failure to provide
14 accurate transcripts, the delay in awarding degrees, and the lack of proper oversight,
15 have disproportionately impacted African American students. This conduct is not only
16 negligent but also violates established anti-discrimination statutes, including Title VI and
17 the Equal Protection Clause, thus constituting negligence per se.
18

19 237. Plaintiff's harm is directly traceable to these negligent actions, as the policies and
20 practices of Defendants mirror those found unconstitutional in *Keyes v. School District*
21 *No. 1, Denver, Colo.*, where similar failures in oversight and discriminatory practices led
22 to systemic educational inequality.

23 238. As a direct and proximate result of Defendants' negligence and negligence per se,
24 Plaintiff suffered economic damages, including but not limited to past and future lost
25 wages, tuition and fees paid to PCL, and other out-of-pocket costs. Plaintiff also suffered
26 non-economic damages, including emotional distress, pain and suffering, loss of
27 enjoyment of life, and damage to reputation.
28

– SEVENTH CAUSE OF ACTION –
NEGLIGENT HIRING, RETENTION, AND SUPERVISION
(Against The Board of Directors, Officers, and Agents of Peoples College of Law, Spiro,
Pena, Gillens, Stallings, Wilson, Ching, Davytyan, Kramer, Chen, Silberger, Zuniga,
Aramayo, Ayrapetyan, Nunez)

239. Summary: This cause of action alleges that both the Peoples College of Law (PCL), the State Bar of California, and individual agents, employees, directors and officers of the organizations breached their respective duties of care by negligently hiring, retaining, and supervising their employees and agents. This negligence resulted in these individuals acting outside the scope of their employment or in violation of established laws and regulations, causing harm to the Plaintiff and other similarly situated students. The failure of both entities to adequately train, supervise, and monitor their personnel enabled them to engage in misconduct, including discriminatory practices, failure to enforce regulations, and obstruction of justice, thereby contributing to the systemic inequalities within the legal education system.

240. Plaintiff hereby realleges and incorporates by reference all prior allegations as if fully set forth herein, with particular emphasis on the following paragraphs and exhibits, which provide specific examples in support of the causes of action alleged:

- a. ¶¶ 15-37, 54-60, and 69-76: Detailing the discriminatory policies and practices, the disparate impact on African American students, and the failure of the State Bar to enforce compliance, supporting the First Cause of Action (Equal Protection Violation);
- b. ¶¶ 22-30, 56-58, and 83-90: Highlighting the denial of full and equal accommodations and the discriminatory treatment based on race, supporting the Second Cause of Action (Violation of the Unruh Civil Rights Act).

- 1 c. ¶¶ 31-45, 78-90, and 116-128: Detailing the racially discriminatory practices, the
2 disparate impact on Plaintiff's educational opportunities, and the State Bar's
3 knowledge of and failure to address these issues, supporting the Third Cause of
4 Action (Title VI of the Civil Rights Act of 1964 - Racial Discrimination in
5 Education).
- 6 d. ¶¶ 45-65 and 102-120: Demonstrating the pattern of racketeering activity, including
7 wire and mail fraud, and the financial and emotional damages suffered by the
8 Plaintiff, supporting the Fourth Cause of Action (RICO Damages).
- 9 e. ¶¶ 1-165: Providing the factual basis for the alleged conspiracy to deprive Plaintiff of
10 his civil rights, supporting the Fifth Cause of Action (Conspiracy).
- 11 f. ¶¶ 1-180: Establishing the Defendants' negligent actions and their disproportionate
12 impact on African American students, supporting the Sixth Cause of Action
13 (Negligence and Negligence Per Se) and the Seventh Cause of Action (Negligent
14 Hiring, Retention, and Supervision).
- 15 g. Exhibits 1, 2, 3, 5, 6, and 201A: Providing evidence of inaccurate transcripts, the
16 State Bar's knowledge of PCL's non-compliance, communications between parties,
17 and the State Bar's inspection report, further supporting the various causes of action.
18
19
20

21 **A. PCL's Negligent Hiring, Retention, and Supervision**

22 241. PCL had a duty to hire or engage only those professors, deans, directors, agents, or
23 officers who would comply with the law and had a duty to properly train and supervise
24 all to ensure that they did so.

25 242. PCL breached that duty by hiring or continuously engaging Gonzalez, Pena, Spiro,
26 Sarinana, Sarin, Bouffard, Gillens, Franco, Sanchez, Torres, Deupree, Silbiger,
27 Pomposo, Zuniga, Aramayo, Maestas, and Venegas and then by failing to properly train
28

1 and supervise them, PCL allowed these individuals to discriminate against Plaintiff in
2 retaliation for his efforts to correct the issues internally and subsequent reports and
3 requests for assistance to the State Bar.

4 243. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be
5 proven at trial.
6

7 **B. State Bar's Negligent Hiring, Retention, and Supervision**

8 244. The State Bar of California, as the regulatory body overseeing the legal profession,
9 had a duty to exercise reasonable care in hiring, retaining, and supervising its employees
10 and agents, ensuring that they were competent, qualified, and would act within the scope
11 of their employment and in accordance with applicable laws and regulations.
12

13 245. The State Bar breached this duty by negligently hiring, retaining, and supervising its
14 employees and agents, including but not limited to Defendants Wilson, Duran, Stallings,
15 Hershkowitz, Ching, Leonard, Chen, Toney, Shelby, Sowell, Cardona, Davytyan,
16 Krasilnikoff and Zuniga. This negligence resulted in these individuals acting outside the
17 scope of their employment or in violation of established laws and regulations, causing
18 harm to the Plaintiff and other similarly situated students.
19

20 246. The State Bar's failure to adequately train, supervise, and monitor its personnel
21 enabled them to engage in misconduct, including discriminatory practices, failure to
22 enforce regulations, and obstruction of justice, thereby contributing to the systemic
23 inequalities within the legal education system.
24

25 247. As a direct and proximate result of the State Bar's negligent hiring, retention, and
26 supervision, Plaintiff suffered damages, including but not limited to economic loss,
27 emotional distress, and loss of educational and professional opportunities.
28

1 **– EIGHTH CAUSE OF ACTION –**
2 **VIOLATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**
3 **(20 U.S.C. § 1681)**

4 **(Against The Board of Directors, Officers, and Agents of Peoples College of Law, Spiro,**
5 **Pena, Gillens, DeuPree, Franco, Gillens, Stallings, Wilson, Ching, Davytyan, Kramer,**
6 **Chen, Silberger, Zuniga, Aramayo, Ayrapetyan, Nunez)**

7 248. Summary: Plaintiff alleges that the named Defendants engaged in sex-based
8 retaliation following his complaints about discriminatory treatment and inaccuracies in
9 his academic records. Defendants, including Christina Marin Gonzalez, with the tacit or
10 express approval of other PCL administrators and relevant State Bar of California
11 officials, authored and disseminated a defamatory letter to the PCL community. This
12 letter falsely portrayed Plaintiff as a misogynist, leveraging harmful gender stereotypes
13 to damage his reputation and standing within the academic community. Additionally,
14 Defendant Gonzalez, assisted by others including Spiro, Pena, Gillens, Silberger,
15 DeuPree, and Franco, engaged in unlawful conduct such as the unauthorized recording
16 of videos, denial of student services, and interference with Plaintiff's business
17 relationships and duties as a corporate officer.

18 249. Sex-Based Retaliation: Plaintiff alleges that Defendants, including the State Bar of
19 California and its officials, either engaged in or had a duty to prevent, but failed to stop,
20 sex-based retaliation after Plaintiff raised concerns about discriminatory treatment and
21 academic inaccuracies.

22 250. Gender Stereotypes: The retaliation was motivated by and exacerbated through the
23 exploitation of harmful gender stereotypes, with the intent to alienate Plaintiff and
24 undermine his reputation.

25 251. Incorporation by Reference: Plaintiff hereby realleges and incorporates by reference
26 all prior allegations as if fully set forth herein, with particular emphasis on the following
27
28

1 paragraphs and exhibits, which provide specific examples in support of this cause of
2 action:

- 3 a. ¶¶ 15-37, 54-60, and 69-76: These paragraphs detail the discriminatory policies and
4 practices, the disparate impact on African American students, and the failure of the
5 State Bar to enforce compliance, supporting the First Cause of Action (Equal
6 Protection Violation).
7
- 8 b. ¶¶ 22-30, 56-58, and 83-84: These paragraphs highlight the denial of full and equal
9 accommodations and discriminatory treatment based on race or sex, supporting the
10 Second Cause of Action (Violation of the Unruh Civil Rights Act).
11
- 12 c. ¶¶ 31-45, 78-90, and 116-128: These paragraphs provide details of racially and
13 sexually discriminatory practices, the disparate impact on Plaintiff's educational
14 opportunities, and the State Bar's knowledge of and failure to address these issues,
15 supporting the Third Cause of Action (Title VI of the Civil Rights Act of 1964 -
16 Racial Discrimination in Education).
17
- 18 d. ¶¶ 45-65 and 102-120: These paragraphs demonstrate the pattern of racketeering
19 activity, including wire and mail fraud, and the financial and emotional damages
20 suffered by the Plaintiff, supporting the Fourth Cause of Action (RICO Damages).
21
- 22 e. ¶¶ 1-165: These paragraphs provide the factual basis for the alleged conspiracy to
23 deprive Plaintiff of his civil rights, supporting the Fifth Cause of Action
24 (Conspiracy).
25
- 26 f. ¶¶ 1-180: These paragraphs establish the Defendants' negligent actions and their
27 disproportionate impact on African American students, supporting the Sixth Cause of
28 Action (Negligence and Negligence Per Se) and the Seventh Cause of Action
(Negligent Hiring, Retention, and Supervision).

1 g. Exhibits 1, 2, 3, 5, 6, and 201A: These exhibits provide evidence of inaccurate
2 transcripts, the State Bar's knowledge of PCL's non-compliance, communications
3 between parties, and the State Bar's inspection report, further supporting this and
4 other causes of action.

5
6 252. Government Claims Act Forms: Plaintiff filed Government Claims Act forms in
7 December 2022 and August 2024, which outline the grievances related to this and other
8 causes of action (§§ 85-86).

9 253. Defamatory Letter: Defendant Gonzalez, with the implicit or explicit endorsement of
10 other PCL administrators and State Bar officials, authored and disseminated a
11 defamatory letter to the PCL community. This letter falsely portrayed Plaintiff as a
12 misogynist and as an individual exhibiting negative male character traits, intending to
13 damage his reputation by leveraging and amplifying harmful gender stereotypes.

14
15 254. Unauthorized Recordings: Gonzalez, with the implicit or explicit endorsement of
16 other administrators and State Bar officials, sought to unlawfully record videos and
17 failed to produce these recordings upon reasonable demand. This conduct was part of the
18 broader pattern of retaliation and harassment.

19 255. Defamation and Harm: The defamatory letter was widely circulated within the PCL
20 community, significantly harming Plaintiff's reputation among students, faculty, and
21 potential employers. Gonzalez's portrayal of Plaintiff as a misogynist in the letter was
22 not based on any factual evidence but rather was designed to exploit existing gender
23 biases, thereby alienating Plaintiff from the academic community. The State Bar, by
24 failing to intervene or correct this defamatory action, became complicit in the sex-based
25 retaliation.
26
27
28

1 256. State Bar's Oversight and Failure: The State Bar of California, which oversees PCL
2 and benefits from federal financial aid, had a duty to ensure that the institution complied
3 with Title IX, including the prohibition against sex-based discrimination and retaliation.
4 Despite receiving government financial aid intended to support equitable educational
5 practices, the State Bar failed to take appropriate action to prevent or remedy the sex-
6 based retaliation against Plaintiff. This failure not only violated Plaintiff's rights under
7 Title IX but also allowed PCL to continue benefiting from federal funds without
8 adhering to the required anti-discrimination standards.

10 257. PCL's Benefit from Federal Funds: PCL, through its relationship with the State Bar,
11 directly benefitted from the receipt of these funds, which were intended to support an
12 environment free from discrimination and retaliation, including sex-based conduct. The
13 retaliatory actions, including the dissemination of the defamatory letter, created a hostile
14 educational environment for Plaintiff. This environment was characterized by gendered
15 animus and was designed to undermine Plaintiff's educational experience and
16 professional opportunities.

18 258. Continuation of Discriminatory Practices: The State Bar's failure to address this
19 hostile environment, despite its oversight role and financial ties, contributed to the
20 continuation and exacerbation of the discriminatory practices at PCL. The State Bar of
21 California, as the regulatory body overseeing PCL, received federal financial aid to
22 support equitable educational practices. By failing to prevent or remedy the sex-based
23 retaliation against Plaintiff, the State Bar violated its obligations under Title IX.

25 259. Hostile Environment and Damages: As a result of the sex-based retaliation and the
26 complicity of the State Bar and its officials, Plaintiff suffered significant emotional
27 distress, damage to his academic and professional reputation, and a loss of educational
28

1 opportunities. The hostile environment created by PCL and allowed by the State Bar
2 exacerbated these harms, leading to long-term negative consequences for Plaintiff's
3 career and well-being.

4 **IV.**

5 **REMEDIES**

6
7 260. Plaintiff re-alleges and incorporates by reference all prior allegations contained in
8 ¶¶ 1-182, insofar as they establish the Defendants' liability and the Plaintiff's entitlement
9 to the remedies sought herein.

10 261. Claims for damages against the State Bar and its employees in their official
11 capacities are not pursued where Eleventh Amendment immunity applies. However,
12 Plaintiff seeks injunctive relief against the State Bar employees in their individual
13 capacities for actions taken outside the scope of their official duties under the *Ex Parte*
14 *Young* exception, as it seeks prospective relief to remedy ongoing violations of federal
15 law.
16

17 262. Todd did not receive an accurate transcript or degree and is owed money.

18
19 **A. Monetary Relief:**

20 263. Compensatory damages in an amount to be proven at trial against all Defendants,
21 jointly and severally, for the harm caused by their conduct as described in the First
22 through Eighth Causes of Action.

23 264. Treble damages, totaling \$750,000.00, as allowed by Civil Code section 52(a)
24 against all Defendants, jointly and severally, for the harm caused by their conduct as
25 described in the Seventh Cause of Action.

26
27 265. Punitive damages against all Defendants, jointly and severally, to punish them for
28 their malicious and willful misconduct and to deter similar conduct in the future.

1 266. Plaintiff further seeks punitive damages against the individual defendants for their
2 deliberate indifference to his rights under Title IX.

3
4 **B. Declaratory Relief:**

5 267. A declaration that the State Bar's "non-interference" policy is unlawful and violates
6 the rights of students at unaccredited law schools.

7 268. A declaration that PCL's practices, as described in this Complaint, violate the Unruh
8 Civil Rights Act and the California Business and Professions Code.

9 269. A declaration that the State Bar failed to adequately supervise PCL's compliance
10 with requirements and that their inaction and failure to intervene after becoming aware
11 of the retaliatory conduct constituted violations of Plaintiff's rights based upon the
12 findings.
13

14
15 **C. Injunctive Relief:**

16 270. The Plaintiff respectfully requests that the Court order the Defendants to issue a
17 public statement acknowledging their wrongdoing and offering a sincere apology to the
18 Plaintiff and all other students who have been adversely affected by their actions and
19 inactions. Such a statement should explicitly recognize the harm caused by the
20 Defendants' conduct and express a commitment to rectifying the systemic issues that
21 allowed such harm to occur.

22 271. The Plaintiff further requests that the Court order the Defendants to establish a
23 restitution fund to compensate all students who have suffered financial or other losses as
24 a result of the Defendants' conduct. The fund should be administered by an independent
25 third party and provide adequate compensation for tuition, fees, lost wages, and other
26 damages incurred by the affected students.
27
28

1 272. The Plaintiff urges the Court to mandate that the State Bar implement comprehensive
2 reforms to its accreditation and oversight processes to prevent similar abuses from
3 occurring in the future. These reforms should include, but not be limited to, stricter
4 standards for unaccredited law schools, increased transparency and accountability in the
5 accreditation process, and enhanced enforcement mechanisms to address non-
6 compliance.

7
8 273. The Plaintiff requests that the Court order the State Bar to implement transparency
9 and accountability measures to ensure public trust and confidence in its regulatory
10 functions. These measures should include regular audits of its operations, public
11 reporting of its regulatory activities, and the establishment of an independent
12 ombudsman to address complaints and concerns from the public.

13
14 274. Plaintiff also seeks injunctive relief requiring PCL and the State Bar to implement
15 policies and training to prevent future violations of Title IV and/or Title IX, including
16 proper handling of complaints and retaliation.

17 275. A permanent injunction ordering the State Bar of California to:

- 18 i. Cease enforcing the "non-interference" policy.
- 19 ii. Implement and enforce regulations to ensure accurate record-keeping at law
- 20 schools.
- 21 iii. Take affirmative steps to address the disparity in bar passage rates between
- 22 accredited and unaccredited law schools.
- 23

24 276. A permanent injunction ordering PCL to:

25

26

27

28

1 i. Cease all operations and dissolve as a corporation under Corporations Code
2 section § 6518.

3
4 ii. Refund all tuition and fees paid by Plaintiff and other similarly situated
5 students.

6
7 **D. Other Relief:**

8 i. An order directing PCL to provide Plaintiff with an accurate, complete, and official
9 transcript reflecting all coursework and grades earned, and to confer upon Plaintiff a
10 Juris Doctorate degree.

11 ii. An order directing the State Bar to investigate and take disciplinary action against
12 Defendants Leonard, Wilson, Chen, and Ching for their misconduct.

13
14 **E. Plaintiff also seeks the following remedies:**

15 i. Civil penalties under Business and Professions Code sections §§ 17206, 17206.1,
16 and 17536 for violating the Business and Professions Code.

17 ii. The permanent removal of Defendants under Corporations Code section § 5223 as
18 the Court deems appropriate.

19 iii. A declaration of Plaintiff's "good faith" indemnification.

20 iv. Plaintiff's costs of suit and other costs under Government Code section § 12598.

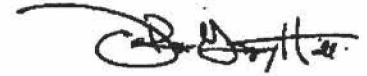
21 v. A statement of determination of PCL's Board Election Validity under California
22 Corporations Code section § 5716.

23
24 vi. Any other relief that the Court deems just and equitable.
25
26
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28

1 **PLAINTIFF TODD HILL VERIFIES THE TRUTH AND BELIEF IN THE TRUTH OF**
2 **THOSE MATTERS DESCRIBED "UNDER PENALTY OF PERJURY" AND THEREFORE**
3 **THIS COMPLAINT IS DEEMED VERIFIED UNDER THE PROVISIONS OF CODE OF**
4 **CIVIL PROCEDURE SECTION 446.**

5 Dated: August 21, 2024

6 Respectfully submitted,

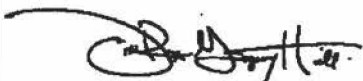
7 

8 Todd R. G. Hill
9 Pro Se Litigant
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1 **Plaintiff's Proof of Service**

2 This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1
3
4 Service. This document will be/has been electronically filed. The electronic filing of a document
5 causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF
6
7 System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2)
8
9 all pro se parties who have been granted leave to file documents electronically in the case pursuant
10 to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the
11 CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by F.R.Civ.P. 4 or L.R. 79-
12
13 5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil
14 Procedure, and the NEF itself will constitute proof of service for individuals so served.

15
16 August 21, 2024

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Affidavit of Todd R. G. Hill in Support of the Third Amended Complaint

I, Todd R. G. Hill, being duly sworn, depose and state as follows:

Personal Background and Enrollment at PCL

1. I am the Plaintiff in this action, an African American male with an ADA-recognized disability. I enrolled at Peoples College of Law (PCL) in the Fall of 2019, seeking a Juris Doctorate degree to pursue a legal career.

Experiences at PCL and State Bar Interactions

2. Throughout my enrollment, I observed and experienced numerous instances where PCL failed to comply with State Bar regulations. These included:
 - a) Inaccurate record-keeping, particularly in the allocation of units for completed courses, which directly impacted my ability to transfer to another institution.
 - b) The school's misleading advertising and recruitment practices, which targeted vulnerable communities with promises of affordable legal education and social justice advocacy.
 - c) The denial of necessary educational resources, such as the refusal to provide fourth-year courses required for graduation or blocking access to my classes, despite my good academic standing.
 - d) The manipulation of student records and misrepresentation of compliance status to induce and maintain enrollment.
 - e) The school's failure to provide a quality education and accurate transcripts, hindering my ability to pursue further legal studies or employment opportunities.

- 1 3. I repeatedly brought these concerns to the attention of both PCL's administration and the
2 State Bar of California. However, my complaints were met with indifference, dismissal, or
3 outright obstruction. The State Bar, citing its "non-interference" policy, refused to intervene
4 in my disputes with PCL, despite clear evidence of the school's non-compliance and the
5 harm it was causing to students. When the State Bar did intervene, it appears to have aided
6 the school to the disparate impact of the students.
7

8 **Discriminatory Practices and Disparate Impact**
9

- 10 4. I firmly believe, although I understand it may not be necessary to prove, that the State Bar's
11 inaction and PCL's misconduct were motivated, at least in part, by discriminatory animus
12 towards students from marginalized communities, particularly African Americans. The State
13 Bar's own data reveals a stark disparity in bar passage rates between students from ABA-
14 accredited and unaccredited law schools, with African American males from schools like
15 PCL facing a disproportionately high failure rate.
16
17 5. I believe that the State Bar's policies and practices, including its accreditation standards and
18 "non-interference" policy, create a "separate but equal" system of legal education that
19 disadvantages students from unaccredited law schools and perpetuates systemic inequalities
20 within the legal profession.
21
22 6. PCL's targeted recruitment of students from disadvantaged backgrounds, coupled with its
23 failure to provide adequate support and resources, created a hostile environment for these
24 students. The high attrition rate among African American students at PCL further supports
25 the claim of discriminatory practices.
26
27
28

- 1 7. The State Bar's failure to enforce its regulations and adequately oversee PCL's operations
2 allowed the school to continue its predatory and discriminatory practices, resulting in
3 significant financial and emotional harm to me and other students.
4

5 **Specific Instances of Harm and State Bar's Knowledge**

- 6 7. As a direct result of the defendants' actions, I have suffered substantial economic and non-
7 economic damages. These include:

- 8
9 a) Loss of tuition and fees paid to PCL
10
11 b) Emotional distress and anxiety caused by the uncertainty surrounding my academic
12 standing and future career prospects
13
14 c) Loss of educational and professional opportunities due to the lack of an accurate
15 transcript and a valid law degree

- 16 8. The State Bar was aware of PCL's non-compliance and the discriminatory impact of its
17 practices. This knowledge is evident from:

- 18 a) The 2020 Inspection Report, which highlighted PCL's numerous regulatory
19 violations
20
21 b) The formal grievance filed by Nancy Popp, detailing the school's misconduct
22
23 c) My repeated complaints and communications with the State Bar, documenting the
24 ongoing issues at PCL

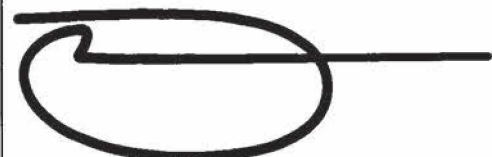
25 **Conclusion**

- 26 9. Despite this knowledge, the State Bar failed to take meaningful action to protect students or
27 enforce its regulations. This inaction perpetuated a system of inequality and injustice,
28

1 denying me and other students the opportunity to achieve our dreams and contribute to the
2 legal profession.

3
4 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
5 and correct.

6 Executed on this 13th day of August 2024, at Quartz Hill, California.

7 
8

9 Todd R. G. Hill
10 Plaintiff, Pro Se Litigant

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EXHIBIT 1

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Todd Hill <toddryangregoryhill@gmail.com>

transcripts and units

1 message

Ira Spiro <ira@spiolawcorp.com>

Tue, Aug 3, 2021 at 5:13 PM

To: Nancy Popp <npopp@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, "registrarguildlawschool@outlook.com" <registrarguildlawschool@outlook.com>, Todd Hill <toddryangregoryhill@gmail.com>, "Christina Gonzalez (christina.marin.gonzalez@gmail.com)" <christina.marin.gonzalez@gmail.com>

With regard to Nancy's insistence, in her emails below, that a "notation/attachment" be sent along with transcripts, at first I thought there would be no problem in sending a letter with content she wants. Then, earlier today, it occurred to me that I had best call the State Bar about it. I spoke to Natalie Leonard today. Then I wrote her a confirming email, as follows:

From: Ira Spiro

Sent: Tuesday, August 3, 2021 4:39 PM

To: Natalie Leonard (Natalie.Leonard@calbar.ca.gov) Natalie.Leonard@calbar.ca.gov

Subject: RE: explanation to another law school of units on Peoples College of Law's transcripts

Dear Ms. Leonard

I'm writing to confirm information you gave me, this time in our telephone conversation of today, Tuesday, August 3, regarding Peoples College of Law (PCL).

I explained that I have been requested to send to another law school, along with students' transcripts, a notation or attachment explaining PCL's designation of quarter courses as 2 units, not three. I said I was thinking of a letter from me that would accompany the transcript rather than something attached to the transcript or written on it. I noted that our quarter courses are 10 weeks, with 3 hours of instruction per week. To use the words of the request I received,, it was that the notation or attachment should state "the inconsistent listing of Semester Units for Quarter Classes and clarifying the correct Quarter Units (3.0) for each 1L Course." (Note that I disagree with that quoted characterization.)

You explained that I, and Peoples College of Law should not send such a communication, because it could be interpreted as an improper solicitation, by PCL or me, of the other law school to credit the students with more units for the students' classes at PCL than the other law school would otherwise credit. You explained that for the other law school to do that would be a violation of State Bar rules.

You also explained that the communication could be considered an improper alteration of the transcript.

Sincerely,

Ira Spiro,

PCL-SER-00171

Thus, I will not send a notation or attachment or letter with content requested by Nancy, and in my opinion nobody else on behalf of PCL should do so.

Ira Spiro, Attorney at Law

310-235-2350

Please Correspond by Email Only

I do not see Post Office Mail, Fed Ex, UPS, etc. promptly

Phone is land line, does not receive texts

Los Angeles, Cal.

ira@spiralawcorp.com

website: spiralawcorp.com

pronouns: he

From: Nancy Popp <npopp@peoplescollegeoflaw.edu>

Sent: Tuesday, August 3, 2021 9:02 AM

To: Ira Spiro <ira@spiralawcorp.com>; Anna Hawkins <pclhawkins@gmail.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez <christina.marin.gonzalez@gmail.com> <christina.marin.gonzalez@gmail.com>

Subject: Re: transcript

Ira,

Please stop removing the PCL Community Members who are CC'ed.

I will repeat myself for a third time; please do NOT ask me to clarify again:

Do NOT send an Official Transcript to NWU before sending me the Transcript with the Notation/Attachment addressing the Unit issue included for my review.

This is a serious error that reflects on the dysfunction of PCL as an institution; not on me as a student. I will communicate with NWU if needed. The duty of PCL Administrators is to send out accurate student records (or as near as accurate as possible).

To that end, the Notation/Attachment MUST be included, and it MUST be accurate in describing the failure of PCL to ascribe correct Quarter Units for all quarter classes.

PCL-SER-00172

Please stop making excuses and delays; simply do the right and ethical thing.

--

Nancy Popp

People's College of Law, 1L ('24)

From: Ira Spiro <ira@spirolawcorp.com>
Sent: Tuesday, August 3, 2021 8:54 AM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Subject: RE: transcript

You're right, I didn't realize you didn't want the transcript to go out without the explanation about units. Nancy, are you sure that's the way you want it? Some have pointed out that the recipient school probably would not be concerned about the units but the explanation might cause them to become concerned. We sent a transcript without an explanation to NW Cal several months ago for another student, and we heard nothing back from the student or NW Cal about the units or anything else about the transcript. I think the student or Anna or someone would have contacted me if the school did raise a concern with the transcript.

Anyway, I'll send it with or without the explanation – your choice.

Ira Spiro

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From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Monday, August 2, 2021 10:55 PM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Christina Gonzalez <christina.marin.gonzalez@gmail.com> <christina.marin.gonzalez@gmail.com>; Todd Hill <toddryangregoryhill@gmail.com>
Subject: Re: transcript

Ira, I am not sure you read my reply.

To repeat my answer to your question, do NOT send an Official Transcript to NWU before sending me the Transcript with the Notation/Attachment addressing the Unit issue included for my review.

--

Nancy Popp

PCL-SER-00173

From: Ira Spiro <ira@spirolawcorp.com>
Sent: Monday, August 2, 2021 9:16 PM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Subject: RE: transcript

Thanks for that email, Nancy. May plan is to send your transcript, showing 2 units for quarters, to NW Cal tomorrow, Tuesday.

Ira Spiro

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From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Monday, August 2, 2021 6:57 PM
To: Ira Spiro <ira@spirolawcorp.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>
Subject: Re: transcript

Ira,

Please keep the email responses to my Transcript Request in the same thread, for clarity and to prevent miscommunication.

I would prefer an accurate Official Transcript; however, the fact is that the Official Transcript to NWU needs to be mailed out as soon as possible.

As I stated in my email of 12:47pm today:

I suggest Rebecca as Admin/Registrar work harmoniously with Brian, Anna and other former PCL registrars to draft an appropriate letter to accompany ALL student transcripts and start the application to the CA State Bar immediately to make the change. This can be done diligently without panic or any created conflict or drama.

Transcript Requests must be filled accurately and promptly within a reasonable time. I understand the problems with inaccuracies in PCL Transcripts are long-standing over many years, were overlooked and not corrected, and now require CBE applications and processes to correct them. Again, those processes must begin immediately without delay.

In the meantime, each PCL Student Transcript will need a notation on the Transcript stating the inconsistent listing of Semester Units for Quarter Classes and clarifying the correct Quarter Units (3.0) for each 1L Course.

PCL-SER-00174

Please send me the Transcript with the Notation/Attachment included for review.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

From: Ira Spiro <ira@spirolawcorp.com>

Sent: Monday, August 2, 2021 1:02 PM

To: Nancy Popp <npopp@peoplescollegeoflaw.edu>

Subject: FW: No changes in transcript units or course unit s-- per State Bar

Nancy, in view of all this, I plan now to send your transcript to NW Cal showing a quarter course as 2 units, i.e. as attached.

Please let me know today if you want me NOT to do that.

Ira Spiro

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From: Ira Spiro <ira@spirolawcorp.com>

Sent: Monday, August 2, 2021 12:37 PM

To: Nancy Popp <npopp@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com <registrarguildlawschool@outlook.com>; Anna Hawkins <pclhawkins@gmail.com>

Subject: RE: transcript

Nancy, I left you a voicemail about this just now, so please give me a call. I was told by the State Bar just now in very strong terms that I must not make this change in your transcript, or anyone's transcript, that it would be a retroactive change, which is not permitted. I was also told that for PCL to change the units for a quarter from 2 to 3 would be considered a "major change" under State Bar rules, which means PCL would have to apply to the Committee of Bar Examiners for the change.

BUT, I certainly could write a letter to go along with your transcript, any transcript, to explain the meaning of the 2 units per quarter, and anything else so long as it's true.

Ira Spiro, Attorney at Law

310-235-2350

Please Correspond by Email Only

PCL-SER-00175

I do not see Post Office Mail, Fed Ex, UPS, etc. promptly

Phone is land line, does not receive texts

Los Angeles, Cal.

ira@spirolawcorp.com

website: spirolawcorp.com

pronouns: he

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From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Monday, August 2, 2021 11:27 AM
To: Ira Spiro <ira@spirolawcorp.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>
Subject: Re: transcript

Thank you for changing all the needed values for units. This transcript appears to be correct.

Please confirm when the official corrected transcript is mailed to NWU.

--

Nancy Popp

People's College of Law, 1L ('24)

From: Ira Spiro <ira@spirolawcorp.com>
Sent: Monday, August 2, 2021 10:57 AM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Subject: RE: transcript

Nancy, I had to change your transcript by hand, i.e. with the pdf editing function. The result is attached. Let me know if the attached is OK with you, and fi so I'll go ahead and sign it.

I believe I couldn't change it in Populi because I would have had to change the units for all first year students, and PCL hasn't decided to do that.

It's not just the units per course that had to be changed. Also changed are:

- "earned credits" per course per quarter
- total earned credits per course per quarter

PCL-SER-00176

- "points" per course per quarter
- total points per quarter
- total earned credits for the academic year (at the bottom)
- total points for the academic year (also at the bottom)

Of course the GPA didn't change.

Thanks for telling me about Rebecca's email address.

Ira Spiro, Attorney at Law

310-235-2350

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ira@spirolawcorp.com

website: spirolawcorp.com

pronouns: he

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From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Monday, August 2, 2021 10:30 AM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: Rebecca Hirsch (PCLregistrar@peoplescollegeoflaw.edu) <PCLregistrar@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Brian Godfrey (cityoffantastic@yahoo.com) <cityoffantastic@yahoo.com>; Ira Spiro <ira@spirolawcorp.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>
Subject: Re: transcript

Thank you very much Ira, I appreciate it.

It's also fine to include a Note on the actual transcript explaining the assignment of credits, if that sounds appropriate to you. It might not be a bad idea to do that on PCL transcripts overall, actually.

FYI, Rebecca's 'PCLregistrar@peoplescollegeoflaw.edu' email address is regularly bouncing back

PCL-SER-00177

7/14/24, 6:14 am Case 2:23-cv-01298-JLS-BFM Document 148-1 Filed 08/21/24 Page 68 of 188 Page 68
ID #:6647

Nancy Popp

People's College of Law, 1L ('24)

From: Ira Spiro <ira@spirolawcorp.com>
Sent: Monday, August 2, 2021 10:19 AM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Subject: RE: transcript

Sure, I'll change it if I can. I'll try right now. I believe I can change it, and I'll let you know right away if there's a problem in doing so.

I don't think the number of units for quarter courses needs changing from 2 to 3 on any transcript, in part because as you can see on your transcript, the correct number of hours, the hours required by the State Bar, is shown near the bottom, but I'll go ahead and change yours and send it to you.

Ira Spiro, Attorney at Law

310-235-2350

Please Correspond by Email Only

I do not see Post Office Mail, Fed Ex, UPS, etc. promptly

Phone is land line, does not receive texts

Los Angeles, Cal.

ira@spirolawcorp.com

website: spirolawcorp.com

pronouns: he

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From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Monday, August 2, 2021 10:06 AM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: pclregistrar@peoplescollegeoflaw.edu; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Brian Godfrey (cityoffantastic@yahoo.com) <cityoffantastic@yahoo.com>; Ira Spiro <ira@spirolawcorp.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>
Subject: Re: transcript

Ira, based on the concerns that Todd Hill has raised on how PCL assigns credit for Quarter classes, it appears my credits on this transcript are incorrect.

PCL-SER-00178

One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.

Based on this, each PCL Quarter Class would result in 3.0 Quarter credits per class, since we are in-class 3 hours/week for 10 weeks. These are Quarter credits, as clearly shown in the transcript, not Semester credits.

One semester credit is equivalent to 1.5 Quarter credits, and the Bar is aware of this. It is important that PCL transcripts reflect the correct credits as assigned by the CBE and used by the vast majority of law schools (unaccredited and accredited). It does not make sense, nor is it practical, to hold Quarter Courses and assign Semester Credits to those courses; this will only confuse other schools who review PCL's transcripts. Accuracy is extremely important so that all PCL Students receive proper credit for their work.

Please correct the assignment of credits per class in my transcript to 3 Quarter Units per class before sending it to NWU. Please send me a corrected copy of my unofficial transcript for review prior to sending a corrected official copy.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Thursday, July 29, 2021 3:34 PM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: pclregistrar@peoplescollegeoflaw.edu <pclregistrar@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com <registrarguildlawschool@outlook.com>; Anna Hawkins <pclhawkins@gmail.com>
Subject: Re: transcript

Ira,

Thank you for processing my request for an official transcript promptly. I have emailed Rebecca Hirsch twice directly about obtaining my transcript but have not received a reply from her.

I have reviewed the Transcript and do not see any errors; all the information appears to be correct.

Yes, I am aware that Rebecca has not been available for Registrar Training; as a result, Anna has the PCL Seal and letterhead in her possession.

I'm sure Anna would be willing to stamp and print my official transcript given adequate notice; she's been very supportive of students and generous in helping out while there is still a gap in filling her role and duties at PCL.

PCL-SER-00179

7/14/24, 6:22 AM Case 2:23-cv-01298-JLS-BFM Document 148-1 Filed 08/21/24 Page 70 of 188 Page 70 of 188
ID # 6649

PLEASE NOTE- the Official Transcript must be mailed to NWC, they do not accept electronic transcripts.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

From: Ira Spiro <ira@spiralawcorp.com>
Sent: Thursday, July 29, 2021 10:12 AM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Subject: transcript

Nancy, I generated your transcript just now from Populi. It had Anna's signature on it, and that isn't right for a transcript now, so I changed it to mine.

PLEASE EMAIL ME BACK, telling me if you think there are errors in the attached transcript, or if you think it's OK.

I don't want to send an erroneous I believe there have been erroneous entries into Populi that could affect transcripts.

The transcript can't be sent out because Anna has at her home the materials necessary to do it, the seal and the special transcript paper. We can't get them from her till Friday. She wrote that she's not available today.

Ira Spiro, Attorney at Law

310-235-2350

Please Correspond by Email Only

I do not see Post Office Mail, Fed Ex, UPS, etc. promptly

Phone is land line, does not receive texts

Los Angeles, Cal.

ira@spiralawcorp.com

website: spiralawcorp.com

pronouns: he

THIS EMAIL MAY BE CONFIDENTIAL AND COVERED BY THE ATTORNEY-CLIENT PRIVILEGE. IF YOU HAVE RECEIVED IT IN ERROR, PLEASE PERMANENTLY DELETE IT IMMEDIATELY

PCL-SER-00180

7/14/24, 6:24 am Case 2:23-cv-01298-JLS-BFM Document 148-1 Filed 08/21/24 Page 71 of 188 Page
ID #:6650

PCL-SER-00181



People's College of Law

660 S. Bonnie Brae, L.A., CA 90057 Tel.:

213 483-0083 Fax: 213 483-2981

E-mail: administrator@peoplescollegeoflaw.edu

"Over 48 Years of Educating People's Lawyers"

Hector C. Pefia, J.D. - President

Pascual J. Torres, Esq. - Dean

September 2, 2022

Nathalie Hope
Program Specialist
Office of Admissions
State Bar of California
845 S. Figueroa St.,
Los Angeles, CA 90017

RE: Todd Hill

Dear Nathalie Hope,

Enclosed is the official application in connection with the application for evaluation sent by PCL on September 2, 2022.

If you have any questions please don't hesitate to give us a call.

J.D.
President and Chair of the Board
People's College of Law

PCL-SER-00182

Peoples College of Law**Official Transcript**

660 S. Bonnie Brae, Los Angeles, CA 90057

Phone: (213)483-0083, Fax:

RECIPIENT:Nathalie Hope
State Bar of California
845 S Figueroa St.
Los Angeles, CA 90017**STUDENT:**Hill, Todd
Student ID: 007-2019
SSN (Last 4): XXXXXX183 I
Enrollment Date: Sep 3, 2019
Previous Degree(s): BA**Degrees/Certificates**

Juris Doctorate

Pursuing as of 9/3/2019

Transcript**2019-2020: Fall Quarter - 09/03/2019 - 11/15/2019**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONTI	Contracts I	30.00	3.00	A	12.00
LEGAL	Legal Writing I	30.00	3.00	A-	11.10
WRTGI					
TORTI	Torts I	30.00	3.00	A-	11.10
Totals		90.00	9.00	Term GPA: 3.80	Cum. GPA: 3.80

2019-2020: Winter Quarter- 11/18/2019 - 02/21/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONTII	Contracts II	30.00	3.00	A	12.00
CRIM LI	Criminal Law I	30.00	3.00	C	5.10
LEGAL	Legal Writing II	30.00	3.00	8+	9.90
WRTGII					
TORT II	Torts II	30.00	3.00	8-	8.10
Totals		120.00	12.00	Term GPA: 2.93	Cum. GPA: 3.30

2019-2020: Spring Quarter - 03/02/2020 - 05/15/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT III	Contracts III	30.00	3.00	A	12.00
CRIMLII	Criminal Law II*	30.00	3.00	A-	11.10
LEGAL	Legal Writing III	30.00	3.00	A	12.00
WRTGIII					
TORTIII	Torts III*	30.00	3.00	A-	11.10
Totals		120.00	12.00	Term GPA: 3.85	Cum. GPA: 3.50

2020-2021: Fall Quarter - 08/31/2020 - 11/13/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONSTLI	Constitutional Law I*	30.00	3.00	A-	11.10
CRIM PROC I	Criminal Procedure I*	30.00	3.00	A-	11.10
TRIAL	Trial Advocacy	30.00	3.00	p	--
ADVOC					
Totals		90.00	9.00	Term GPA: 3.70	Cum. GPA: 3.53

2020-2021: Winter Quarter- 11/14/2020 - 02/20/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST LIi	Constitutional Law II*	30.00	3.00	A	12.00
CRIMPROC	Criminal Procedure II*	30.00	3.00	A+	12.90
II					
REMI	Remedies I*	30.00	3.00	C	6.00
WILLS/TRI	Wills & Trusts*	30.00	3.00	8-	8.10
Totals		120.00	12.00	Term GPA: 3.25	Cum. GPA: 3.46

2020-2021: Spring Quarter - 03/01/2021 - 05/14/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L III	Constitutional Law III*	30.00	3.00	A	12.00

PCL-SER-00183

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ID #:6653 Exhibit 1, pg. 3 of 9

LEGALRES	Legal Research	30.00	3.00	P	--
REM II	Remedies II*	30.00	3.00	D+	3.90
WILLS II	Wills & Trusts II*	30.00	3.00	B	9.00
Totals		120.00	12.00	Term GPA: 2.77	Cum. GPA: 3.36

2021-2022: Fall Quarter - 08/30/2021 - 11/13/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
BUSN	Business Transactions Clinical Course	30.00	3.00	B+	9.90
TRANS					
CLINIC					
CIVPROC I	Civil Procedure I*	30.00	3.00	A+	12.90
EVID I	Evidence I*	30.00	3.00	A-	11.10
REAL PROP I	Real Property I*	30.00	3.00	B+	9.90
Totals		120.00	12.00	Term GPA: 3.65	Cum. GPA: 3.41

2021-2022: Winter Quarter - 11/15/2021 - 02/19/2022

Course#	Name	Earned Hours	Earned Units	Grade	Points
CIV PROC II	Civil Procedure II*	30.00	3.00	A+	12.90
CORP & BUS	Corporations & Business Associations*	30.00	3.00	B	9.00
ASSOC					
EVID II	Evidence II*	30.00	3.00	A-	11.10
REALPROP	Real Property II*	30.00	3.00	C	6.00
II					
Totals		120.00	12.00	Term GPA: 3.25	Cum. GPA: 3.39

2021-2022: Spring Quarter - 02/28/2022 - 05/14/2022

Course#	Name	Earned Hours	Earned Units	Grade	Points
CIV PROC III	Civil Procedure III*	30.00	3.00	C-	5.10
CMTY PROP	Community Property*	30.00	3.00	C-	5.10
PROFL RESP	Professional Responsibility*	30.00	3.00	D	3.00
REAL PROP	Real Property III*	30.00	3.00	C+	6.90
III					
REM II	Remedies II*	--	--	AUD	--
Totals		120.00	12.00	Term GPA: 1.68	Cum. GPA: 3.17

Cumulative

	Earned Hours	Earned Units	Points	GPA
Resident	1,020.00	102.00	304.50	3.17
Transfer	0.00	0.00	0.00	0.00
Overall	1,020.00	102.00	304.50	3.17

(1) One semester unit is defined as fifteen (15) hours of classroom instruction. Generally, one hour of instruction per week for fifteen (15) weeks equals one semester unit of credit.

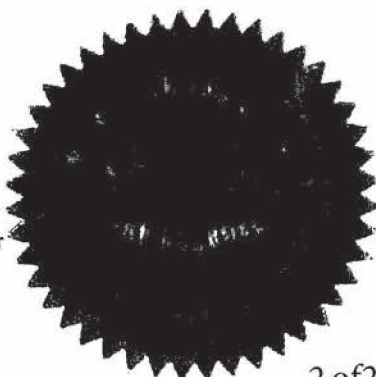
(2) One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.

AUD=Audit
FN =Failure for non-attendance
I = Incomplete
IP = In Progress
R=Retake
W=Withdraw

FYLS Information
Date(s) Taken: --
Date Passed: --

CBE Information
Date(s) Taken: --
Date Passed: --

Adriana Zuñiga Nuñez - Registrar



PCL-SER-00184

Peoples College of Law

Official Transcript

660 S. Bonnie Brae, Los Angeles, CA 90057
Phone: (213)483-0083, Fax:

RECIPIENT:**STUDENT:**

Hill, Todd
Student ID: 007-2019
SSN (Last 4 i.f.): ---
Enrollment Date: Sep 3, 2019
Previous Degree(s): B A

Degrees/Certificates

Juris Doctorate

Pursuing as of 9/3/2019

Transcript

2019-2020: Fall Quarter - 09/03/2019 - 11/15/2019

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT I	Contracts I	30.00	3.00	A	12.00
LEGAL	Legal Writing I	30.00	3.00	A-	11.10
WRTGI					
TORTI	Torts I	30.00	3.00	A-	11.10
Totals		90.00	9.00	Term GPA: J.80	Cum. GPA: 3.80

2019-2020: Winter Quarter - 11/18/2019 - 02/21/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT II	Contracts II	30.00	3.00	A	12.00
CRIM I	Criminal Law I	30.00	3.00	C-	5.10
LEGAL	Legal Writing II	30.00	3.00	B+	9.90
WRTG II					
TORT II	Torts II	30.00	3.00	B-	8.10
Totals		120.00	12.00	Term GPA: 2.93	Cum. GPA: 3.30

2019-2020: Spring Quarter - 03/02/2020 - 05/15/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT III	Contracts III	30.00	3.00	A	12.00
CRJM L II	Criminal Law II*	30.00	3.00	A-	11.10
LEGAL	Legal Writing III	30.00	3.00	A	12.00
WRTG III					
TORT III	Torts III*	30.00	3.00	A-	11.10
Totals		120.00	12.00	Term GPA: 3.85	Cum. GPA: 3.30

2020-2021: Fall Quarter - 08/31/2020 - 11/13/2020

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L I	Constitutional Law I*	30.00	3.00	A-	11.10
CRJM PROC I	Criminal Procedure I*	30.00	3.00	A-	11.10
TRIAL	Trial Advocacy	30.00	3.00	p	--
ADVOC					
Totals		90.00	9.00	Term GPA: 3.70	Cum. GPA: 3.53

2020-2021: Winter Quarter - 11/14/2020 - 02/20/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L II	Constitutional Law II*	30.00	3.00	A	12.00
CRIM PROC II	Criminal Procedure II*	30.00	3.00	A+	12.90
REM I	Remedies I*	30.00	3.00	C	6.00
WILLS/TR I	Wills & Trusts*	30.00	3.00	B-	8.10
Totals		120.00	12.00	Term GPA: 3.25	Cum. GPA: 3.46

2020-2021: Spring Quarter - 03/01/2021 - 05/14/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L III	Constitutional Law III*	30.00	3.00	A	12.00

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Exhibit 1, pg. 5 of 9

LEGAL RES Legal Research	30.00	3.00	p	
REMH Remedies I*	30.00	3.00	D+	3.90
WILLS/TR II Wills & Trusts II*	30.00	3.00	B	9.00
Totals	120.00	12.00	Term GPA: 2.77	Cum.GPA:3.36

2021-2022: Fall Quarter - 08/30/2021 - 11/13/2021				
Course# Name	Earned Hours	Earned Units	Grade	Points
BUSN Business Transactions Clinical Course	30.00	3.00	B+	9.90
TRANS CLINIC				
CIVPROCI Civil Procedure I*	30.00	3.00	A+	12.90
EVIDI Evidence I*	30.00	3.00	A-	11.10
REAL PROP I Real Property I*	30.00	3.00	B+	9.90
Totals	120.00	12.00	Term GPA: J.65	Cum. GPA: 3.41

2021-2022: Winter Quarter - 11/15/2021 - 02/19/2022				
Course# Name	Earned Hours	Earned Units	Grade	Points
CIV PROC II Civil Procedure II*	30.00	3.00	A+	12.90
CORP & BUS Corporations & Business Associations*	30.00	3.00	B	9.00
ASSOC				
EVIDII Evidence II*	30.00	3.00	A-	11.10
REAL PROP II Real Property II*	30.00	3.00	C	6.00
II				
Totals	110.00	12.00	Term GPA: 3.25	Cum. GPA: 3.39

2021-2022: Spring Quarter- 02/28/2022 -05/14/2022				
Course# Name	Earned Hours	Earned Units	Grade	Points
CIV PROC III Civil Procedure III*	30.00	3.00	C-	5.10
CMTY PROP Community Property*	30.00	3.00	C-	5.10
PROFL RESP Professional Responsibility*	30.00	3.00	D	3.00
REAL PROP III Real Property III*	30.00	3.00	C+	6.90
III				
REMH Remedies II*	-	-	AUD	-
Totals	120.00	12.00	Term GPA: 1.68	Cum.GPA:3.17

Cumulative

	Earned Hours	Earned Units	Points	GPA
Resident	1,020.00	102.00	304.50	3.17
Transfer	0.00	0.00	0.00	0.00
Overall	1,020.00	102.00	304.50	3.17

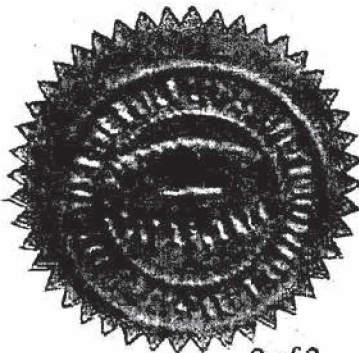
- (1) One semester unit is defined as fifteen (15) hours of classroom instruction. Generally, one hour of instruction per week for fifteen (15) weeks equals one semester unit of credit.
- (2) One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.

AUD=Audit
 FN = Failure for non-attendance
 I = Incomplete
 P = In Progress
 R=Rctake
 W=Withdraw

FYLS Information
 Date(s) Taken: -
 Date Passed: -

CBE Information
 Date(s) Taken: -
 Date Passed: -


 Adriana Zuñiga Nunez - Registrar



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ID #:6656

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EXHIBIT 2

PCL-SER-00187

FORMAL LETTER of GRIEVANCE

TO: People's College of Law, Board of Directors
FROM: Nancy Popp, 1L '24
DATE: June 15th, 2021

RE: Serious Topics of Concern in the Functioning of People's College of Law

To the PCL Board, all Committee and Community Members:

I am taking the time away from my study and preparation for the First Year Law Student Exam to write this grievance because of the high level of my concerns for the functionality of People's College of Law (PCL).

I am considering whether I want to continue my law studies at PCL in light of the high degree of dysfunction of school governance, lack of clear structure and effectiveness in the day-to-day operations of the school, inconsistent standards of instruction and course rubrics, and a general lack of regard for the students, 1L's in particular.

I understand this has been a particularly challenging year. The COVID pandemic's effect on the PCL Community (financial stress, illness, general anxiety and quarantine fatigue), the resulting transition to all-online instruction, the death of Board Member and 3L Robert Wymss and the departure of additional PCL Board Members have all had enormous impact the functioning of the school.

While these pandemic pressures have aggravated the issues addressed in this Grievance, most are long-term problems that have persisted since PCL was re-established in 2015. I have reviewed the CA State Bar's Report on PCL (Agenda Item O-402 for the CBE Meeting Date June 18th, 2021) and its recommendations for Compliance with CA State Bar Guidelines; it is clear there are numerous overlapping and ongoing with this Grievance which still need addressing. It is past time to identify them at the source, to enable our school to function as the Cooperative Community Educational Institution it was intended to be by its founders.

1. Tuition Collection/Methods of Discipline to Collect

PCL issues Tuition Invoices at the start of each Quarter (Fall, Winter, Spring). Accountability Fees are due in the Spring Quarter and are offset by time volunteered at the school. Upon the end of the Winter 2020 Quarter 1L grades were inaccurate and incomplete due to an instructor not turning in grades for the course.

As of April 2021 2Q grades remained incomplete. I wrote an email to Dean Spiro on April 8th stating,

"I'll be glad to pay my 3Q tuition as soon as all accurate 2Q grades are received."

On May 11th I received an email from the PCL Administrator stating that the Treasurer and Dean were inquiring about tuition owed. When I inquired about the missing 2Q grades, Dean Spiro emailed me on May 17th stating,

"Once the grades for winter and spring quarters are posted, our rules require that you pay the tuition, or have a payment plan, before PCL will send to the Bar your certification to take the FYLSX."

I replied to Dean Spiro on May 18th:

"As soon as the grades are completed, please let me know. I'll keep an eye out and pay tuition promptly. Again, I fully understand the difficulty involved and very much appreciate everyone's efforts, including yours Ira. However, please don't penalize me for a tight turnaround that is not in my control. It's clear that grading will likely go right up to the certification deadline. I feel strongly that any rules must be adhered to equally by all parties, and not selectively applied; otherwise, hypocrisy results and trust breaks down."

I take issue with the school's Dean stating they would withhold my certification for the FYSLX due to tuition being owed; particularly in light that my tuition was being withheld due of PCL's failure of their duty to provide grades in a reasonable and/or timely manner.

PCL-SER-00188

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 2, Honesty & Integrity

2.2 Honesty Regarding Finances.

(A) Honesty in Financial Affairs Generally.

A law school must conduct its financial affairs honestly and in a forthright manner. Financial considerations must not adversely affect a law school's educational program, admission and academic decisions, or academic standards.

2.8 Fairness in Student Discipline

A law school must have a written policy for the imposition of student discipline and that policy must be fair.

(D) The law school's imposition of student discipline policy does not apply to academic probation or disqualification; other failures to meet academic standards; or to failure to pay tuition, fees, or charges billed to the student.

Inhibiting a 1L from moving ahead to their 2L year harms the school by preventing students from advancing and creates even greater attrition than is already occurring at PCL. Student attrition is both a fiscal problem and a symbolic failure of the school's ability to achieve its goals and purpose. In 2020-21 nearly half (6 out of the original 14 students, or 43%) of PCL's 1Ls withdrew or declined to take the FYLSX to allow them to advance to their 2L year. It is a violation of the CA State Bar's Guidelines to discipline a student by withholding grades or certification for a First Year Law Student Exam due to tuition owed.

I am aware that these threats of discipline due to non-payment of tuition have occurred with multiple students at PCL; this indicates a serious pattern of behavior that violates CA State Bar guidelines, which must be addressed and must cease immediately.

2. Transparency of PCL Structures/Administration

When I informed PCL's Board President that I was in the process of writing this Formal Grievance, I inquired as to where and to whom it should be communicated and sent. A conversation revealed that there is not a transparent structure of PCL Committees or Members of those Committees.

The PCL Bylaws, ratified May 22nd 2017, list five 'regular and standing Committees': Admissions/Recruitment, Faculty Curriculum, Finance/Fundraising, Building/Library and Accountability and an Elections Committee on an as-needed basis. PCL Committees are set up on the school's online platform Populi. However, not all Committees are represented; of the above five standing Committees, only Admissions/Recruitment, Building/Library and Accountability and the Faculty Curriculum Committee (FCC) are represented in Populi.

The Board of Directors Populi Group, which exists, is not publicly listed or able to be contacted through Populi. Most Committees do not list their members; it is not possible to discover who sits on which Committees or how to contact the members directly. If a student has questions regarding the governance of the school, or who is making decisions about Curriculum, Faculty, Finances or other decision-making bodies whose decisions directly impact students, there is little to no clarity or transparency about who to contact or how to reach them. It is for this very reason that 3L Kevin Clinton took the step of emailing the broader PCL Community on May 25th a sincere effort to raise the alarm regarding violations of the CA State Bar Guidelines for back tuition and disciplinary procedures (see item 1, *Supra*).

PCL's day-to-day operations are highly dysfunctional; the current Board, Dean and Committees do not share information openly, seemingly commit to tasks but do not follow through, and waste energy on conflict and infighting. It is my belief that the majority of the PCL community are still traumatized from the time of the 'takeover' five years previously, and are continuing to enact this dysfunction in their relations amongst one another, creating problems instead of simple, effective functional structures and solutions. Many Board and Committee Members have left PCL in the past two years due to their unwillingness to engage in these hostile exchanges, leaving too few people for the tasks at hand; a handful of individuals are making the majority of the decisions with very little transparency.

The Executive Committee (EC) is a key example of this lack of transparency. Although this Committee was established by a vote during a Board of Directors meeting in 2017, its role is unclear and its members are not made public. The current PCL Student Handbook states that payment plans for back tuition owed must be approved by the EC; also, that changes to student transcripts must be approved by the EC. Students appealing Academic Disqualification and Student Grievances must be reviewed by the EC. PCL's Student Handbook states that "...the Community Board may delegate some or all of its functions to the Executive Committee...". Students with ADA Requests for Accommodations also are reviewed by the EC; student Disciplinary Procedures are imposed by the EC, which also coordinates Adjudicatory Hearings, disqualifies Members of a Hearing Panel, and handles Appeals for Admission to PCL. Although the PCL Student Handbook states that members of the EC shall be specified in the PCL Bylaws, the Bylaws ratified May 22nd 2017 make no mention of this Committee, its role, duties, members or functions. Nor is there any Populi Group for the Executive Committee, or any way for students to contact its members.

On June 3rd, in response to a written request I sent to Dean Ira Spiro for more transparency and information on the Executive Committee, he replied in part:
"...the Bylaws don't mention the Executive Committee, but one amendment does affect it, an amendment stating that the Dean is an Officer, attached. As far as I know the Executive Committee doesn't do day-to-day accounting of student accounts or tuition...the Executive Committee has charge of payment plans and the Treasurer is a member of the Executive Committee."

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 2, Honesty & Integrity

2.1 Honesty and Integrity.

A law school must be honest and forthright in all of its activities. A law school must establish and maintain procedures and practices that demonstrate an on-going commitment to ensuring that every law school activity is conducted honestly and in a forthright manner.

The current functions and operations of the Executive Committee are in violation of the CA State Bar's Guidelines for Unaccredited Law Schools.

Proposal:

The Executive Committee must operate under full transparency with all members identified, and clear guidelines established for its role, duties and functions. If there is no will to do so by the Board of Directors or the Executive Committee members, the Executive Committee must be disbanded.

3. Accurate, Consistent Standards of Instruction/Grading

During my 1L year, I noticed varying standards of instruction and preparation among my professors; this ranged from highly prepared, with clear explanations of concepts and rules, regular reviews of lecture material, use of the Populi and MS Teams online platforms fully and effectively, and use supplemental material, including homework assignments that led to mastery of the material; to lack of preparation in which lectures consisted of reading straight from the textbook week after week.

Three-quarters of the instructors submitted grades within a reasonable time (2 weeks); one instructor, James Simmons, did not submit final grades for his Criminal Law course for either 2Q or 3Q (as was also the case with his 2020-21 Torts course); his partially completed grades were widely disparate from other 1L course grades. Numerous Board and Faculty Members stepped in to re-evaluate and complete the grading. Another example of long-delayed grades was a very academically strong 1L's decision to withdraw from the school in April, well into 3Q; they did not receive grades for the coursework they completed in a timely manner. The student had to threaten to contact the CA State Bar to receive official transcripts of their completed coursework.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 5, Academic Programs and Scholastic Standards

5.17 Grading Standards

PCL-SER-00190

A law school must adopt written grading standards that ensure accuracy, validity, reliability, and consistency in the evaluation of student performance. Each student must be graded honestly and realistically. Qualified and competent individuals, whether they are course instructors, other members of the faculty, or carefully selected and supervised graders, must evaluate student performance. There should be a reasonable correlation among the grades of all instructors teaching the same group of students. A wide disparity in the grades among several instructors teaching the same group of students is prima facie evidence of inadequate grading standards. Reasonableness in correlation may include due regard for variation in subject matter difficulty.

I understand that PCL historically struggles with recruiting and retaining reliable instructors, given they volunteer their time. Based on my experience, this problem is also due to a lack of organization and clear expectations, which requires willingness and capacity to do so at the Board level. Given that James Simmons was invited back to teach when he previously failed to submit grades the year prior reflects a failure on the part of the Board, or at best, a serious lack of judgment.

Proposal:

Since grades and transcripts are crucial to the functioning of a school, I propose PCL instructors be paid a small stipend per class only to grade students work and submit grades, not for teaching. This symbolic gesture would create a clear expectation for evaluating student's work promptly and submitting it in a reasonably timely manner at the end of each Quarter. A grading stipend would also create a contractual expectation between the instructor and the school, and encourage volunteer professors to view their promise as a professional commitment. PCL Board Members and Administrators must be consistent in adhering to the standard of professional conduct with PCL Instructors, and support them in meeting those standards, rather than undermining them or encouraging continued violations CA State Bar Guidelines by literally rewarding such conduct.

4. 1L Courses/Rubrics to be FYLSX Focused

I attended the February 2021 Board Meeting to voice my concerns about the manner in which the 1L courses were being taught at PCL. I described how half of the 1L instructors structured their courses with a focus on passing the FLYSX, while others were unaware of the exam's importance to 1L's as a mandatory hurdle to continuing their studies at PCL, or at any other law school. The point of my concerns was the necessity of mandating all 1L Professors teach to the FYLSX, use consistent methodologies of focusing on Essay Writing and MBE Preparation, avoid focusing on case law, which is a low-priority in the 1L Year. 1L Professors must use material focused on the basic 'Black Letter Law' tested on the FYLSX, and test 1L's on those basic skills and knowledge. I, along with other 1L's, repeatedly spoke to our instructors about the need for more FYLSX-focused instruction. Some responded and attempted to teach more to the FYLSX; others ignored us and taught according to their own preferences.

Proposal:

I contacted Anna Hawkins about the 1L teaching methodology inconsistencies; she stated that a 1L Curriculum for each subject would be essential for all 1L instructors, including sample exams, and hoped to develop this for PCL. I support and encourage this plan, and propose a 1L Curriculum to be developed immediately, without delay, utilizing Robert Skeels' Contracts Curriculum as a framework. The blueprint of this 1L Curriculum already exists, and the content from many of this year's 1L courses can be included to supplement. This is particularly crucial where 1L courses are taught by multiple volunteer instructors, such as Torts was this year, with four separate professors. A consistent curriculum would help smooth out the transitions from instructor to instructor, and not place the burden on the 1L's to literally 'train' their instructors in what the 1L's need to be taught, how to teach it, and when to teach it.

5. Instructor Accountability and Professional Standards

It is difficult to find attorneys who are willing to volunteer time and effort to teach without compensation, even when a school is well organized and able to function smoothly, with clarity, vision, free of rancor. As detailed *Supra* in item 2, there is an uneven standard of organization

and instruction amongst professors, and the level of teaching at PCL is highly inconsistent, to say the least.

As an example, James Simmons taught Torts in 2019-20; at that time there were similar issues of poor instruction, lack of organization, and a failure to turn in grades. Many complaints were submitted. Despite this, he was invited back to teach Criminal Law in 2020-21, during which time his poor performance compounded. During the Criminal Law course Mr. Simmons stated that he was open criticism and available for questions; when several 1L's came forward, they were dismissed and ignored. The 2Q Midterm contained a highly questionable, triggering Statutory Rape Essay, offending numerous students who complained to the PCL Administrator. Another 1L instructor who saw the Essay Question when completing Mr. Simmons' class grades wrote: "...the Simmons midterm question was horrifying and I was literally aghast when I read it. The school must make a substantial effort to prevent that kind of conduct from ever occurring again. While that question would have been offensive and highly inappropriate in any era, it is even more so in 2021 when there is, ostensibly, more awareness of traumatizing students."

Multiple future class sessions contained similar material on sexual crimes that was offensive and insensitive. Lectures consisted of selections of text taken straight from the Hornbook and presented as a slide show, which was then read aloud by Simmons or the students in turn.

Understandable errors and mistakes will occur, and developing COVID twice is a legitimate excuse for poor performance; then there are serious lapses in judgment that create unprofessional and unacceptable circumstances and standards that are very disrespectful to the students and PCL community. Despite these clear violations of professional, community and CA State Bar Standards for instruction, Mr. Simmons was bestowed with a school award at PCL's 46th Anniversary Fundraiser on April 29th.

In raising these issues with PCL Board and Community Members who guided the school through the 'takeover' years I have been told repeatedly, "Well, you should have seen it before the takeover! It was much worse then." or "I had horrible instructors, too." This, while also understandable, is unacceptable five years later. It brings to mind the attitude of those subjected to hazing or deep disregard and now are desensitized to the infliction of that same mistreatment upon others.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 4. Administrator, Dean, and Faculty

4.8 Evaluation of Instructors.

A law school must adopt written procedures for the regular evaluation of instructor competence. In evaluating the competency of an instructor, the factors to be considered are:

- (A) The instructor's education, knowledge, and experience in the subject matter;
- (B) The instructor's competence in the classroom or in other instructional activities;
- (C) The instructor's teaching skills given the technology and methodology used in instruction, and the quality of participatory experiences employed;
- (D) The instructor's organization of the course as demonstrated by outlines or syllabi;
- (E) The quality, nature, and type of examinations, and other assignments and the quality of grading;
- (F) The relation between the field of instruction and the area of specialization, if any, of the instructor in private practice; and
- (G) The years of experience, both in teaching and in practice.

4.9 Basis of Instructor Evaluations.

The evaluation of instructor competence is generally determined by observation in the classroom or other instructional activities, which may include, for distance-learning law schools, monitoring both synchronous and asynchronous activities. Evaluation also includes review of the materials used in the course, examinations given, and the extent to which examinations and grading standards provide a reasonably accurate appraisal of each student's ability. A comparison of course grades with examination scores in like subjects and the relation between the two are regarded as some indication of the quality of instruction, examinations, and grading standards.

Division 5. Academic Program and Scholastic Standards

5.1 Academic Program.

A law school must maintain a qualitatively and quantitatively sound program of legal education.

5.2 Criteria for Determining Compliance with Guideline 5.1.

In evaluating the qualitative and quantitative soundness of a law school's program of legal education, the

Committee will consider:

- (A) The content and scope of the curriculum;*
- (B) The competence of the instructors with respect to their knowledge of the subject matter and their ability as teachers;*
- (C) The materials used in each course, including required and recommended texts, course outlines, and syllabi;*
- (D) The effectiveness of the methods of instruction used;*
- (E) Admission requirements, including minimum levels of prior education, preparation, or training;*
- (F) The number of students in classes or instructional units;*
- (G) The quality of examinations, assignments, and other student work as an indication of course coverage and as a measure of student knowledge and analytical ability;*
- (H) The soundness of the grading system;*
- (I) The availability of adequate legal research resources;*
- (J) The adequacy of the law school's finances; and*
- (K) The cumulative success of the law school's graduates on the California Bar Examination over such period of time as the Committee determines is appropriate.*

PCL does not follow the above guidelines either in letter or spirit; by inviting back an instructor who was known to not meet these standards, the Board has violated these CA State Bar Guidelines.

The ability to attract, engage and retain reliable, committed professors is of key importance at PCL; it is second only to the priority of recruiting high quality, motivated students. A main reason instructors leave PCL or refuse to return is more than likely a lack of practical and administrative support, the contentious atmosphere and the highly dysfunctional state of the school, detailed *Supra* in item 2.

Proposal:

PCL must retain the excellent instructors it already possesses, cease the infighting and lack of cohesive functioning that feeds attrition of its faculty pool, and uphold basic standards of instruction as detailed by the CA State Bar. Instructors need clear guidelines and expectations, reinforced by a small stipend for grading as outlined *Supra* in item 3. The FCC could provide those guidelines and continue to assist the school in improving its Faculty Pool.

6. Required Use of Populi/Teams by PCL Community

Due to the COVID-19 pandemic, PCL obtained permission from the CA State bar to function as an online/distance learning school. MS Teams and Populi were hastily set up in mid-2020 by the PCL Administrator, and numerous trainings were scheduled for Board, Committee and Faculty members. Dedicated 2L and 3L students, along with the PCL Administrator, were mainly responsible for this set-up and training of faculty.

After a year of all online instructions, I have been told directly from Board and Committee Members, including the Dean, that they are unfamiliar with these programs and are unwilling to use them when asked. This year's 1L class conducted all their online learning through Populi and MS Teams, which some 1L instructors did not use or know how to use. When attempting to set up a schedule of Practice/Mock FYLSX at the end of the 2020-21 academic year, I was asked by Board and Committee Members to communicate with them outside of these online programs, as they did not use them. However, the 1L's have been required to use these programs for the entire year without any formal training or onboarding.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 7. Physical Resources

7.2 Instructional Equipment; Resources and Procedures to Address Technology-Related Problems.

A law school must have and maintain instructional equipment adequate to support its educational program. A law school must have and allocate adequate resources and create and maintain adequate procedures to promptly and effectively address technology-related problems in the delivery of its educational program.

Proposal:

To ensure equitable access and transparency, ease of administration and communication, all active PCL Board and Committee Members must train and use the school's online learning and administrative programs (Populi and Microsoft Teams) at a basic level. Annual trainings for all PCL Community Members, including students, should be conducted to keep the members of the PCL Community fluent in these programs at a basic level and familiarized with updates to the programs. Board, Committee and Faculty Members should use these programs to communicate with students for all school business.

I am requesting time to present these Grievances at the June PCL Board Meeting, now moved from June 20th and scheduled for June 19th. I also request a written response to this Formal Grievance be submitted no later than June 30th 2021.

My intention is to clarify what I feel stands in the way of the basic functioning of People's College of Law. I believe in the integrity of school's mission; it is heartbreaking how neglected the institution is at this juncture in time, indicated not only by the dysfunction exhibited in it's management and operations, but in the dilapidated state of PCL's physical campus. Having spent many Accountability Hours there this spring with Anna Hawkins, I attempted to reconcile the sad state of the school's records, campus and community with the ideals proposed by PCL's professed identity as a 'Community Law School'.

So long as I am a part of the PCL community I will communicate openly and clearly, to delve to the root of these maladies keeping the school from achieving its historic goals.

Sincerely,



Nancy Popp, '24
npopp@peoplescollegeoflaw.edu



The State Bar of California

OPEN SESSION
AGENDA ITEM O-402
JUNE 2021
COMMITTEE OF BAR EXAMINERS

DATE: June 18, 2021

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Progress Report Related to Periodic Inspection Report – Peoples College of Law

EXECUTIVE SUMMARY

This agenda item presents Peoples College of Law's progress report, documenting its progress completing the recommendations adopted by the Committee of Bar Examiners after reviewing the law school's periodic inspection report. (Attachment A)

BACKGROUND

Peoples College of Law is a registered, unaccredited fixed facility law school founded in 1973 and located in Los Angeles, California. The law school has always focused on preparing students for practice in public interest law.

Registered, unaccredited law schools undergo inspection every five years to confirm continuing compliance with the Rules for Unaccredited Law Schools and their guidelines.

State Bar Educational Consultant Heather Georgakis conducted an inspection of Peoples College of Law on January 14-16, 2020 onsite at the law school.

The Committee accepted the report and continued the law school's registration contingent upon: 1) addressing the recommendations listed below; 2) providing annual progress each year by November 15 to document progress, completion, or sustained compliance as to each recommendation; and 3) agreeing to undergo a follow up inspection in fall 2022.

PCL-SER-00195

PCL provided a timely progress update submitted with its 2020 Annual Report, and recently amended the progress report in May 2020 to document additional progress.

DISCUSSION

The Committee adopted required PCL to address the following 23 recommendations as a result of the observations during its periodic compliance inspection. The original recommendation is listed first, followed by a summary of law school's current status in italic font. The law school's full response is attached. (Attachment A)

Overall, the law school has maintained or enhanced compliance as to each of the recommendations as documented below.

RECOMMENDED MANDATORY ACTIONS

- 1. Guidelines 1.9 and 2.10:** To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the law school adopted a compliant policy, provided the State Bar with a copy of that policy, and implemented that policy.*
- 2. Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, provided a copy of that policy to the State Bar, and implemented that policy.*
- 3. Guideline 2.3(B):** To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that were not being offered, and adding the language regarding the frequency with which the remaining courses are offered. The law school advises that this list is updated and compliance has been maintained.*
- 4. Guideline 2.3(D):** To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and completed and posted or provided timely since the inspection.*

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5. **Guidelines 2.9(A)-(B) and 5.24:** To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided its updated Catalog, which remains current.*
6. **Guideline 2.9(C):** To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy, provided the State Bar with a copy of that policy, and implemented the policy by loading syllabi into the school's learning management system where students can access them.*
7. **Guideline 2.9(D):** To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it adopted a secure testing policy that requires exams to be proctored in person or proctored remotely through Microsoft Teams.*
8. **Guidelines 2.10 and 5.17:** To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy, and provided the State Bar with a copy of that policy. The policy will be implemented at the end of the fall quarter in November 2021 and the law school's information system has been updated to hold grades until the administrative review is complete.*
9. **Guidelines 2.11, 7.1, and 9.1:** To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. *Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools and containing the recommended safeguards. The school will complete phase one of its data loading plan by August 2021.*
10. **Guideline 3.1:** To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. *Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school has created job descriptions for its key administrators, and increased the paid hours allotted to its registrar.*
11. **Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided a copy of the policy to the State Bar. The policy has been implemented and over thirty faculty evaluations have been completed during this school year.*

- 12. Guidelines 5.3(A)(1) and 5.9:** To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy, provided a copy to the State Bar, and implemented the policy. Attendance is tracked by instructors or the registrar and recorded in Populi.*
- 13. Guideline 5.8:** To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy. The law school now requires students to fill out and submit timesheets as a mandatory requirement for all clinical courses, and the registrar reviews the timesheets to confirm the required hours.*
- 14. Guidelines 5.17, 5.18, and 5.25:** To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the law school formulated a responsive policy that will be presented shortly to the law school's Board for adoption and implementation in summer 2021. The law school has also implemented a policy requiring professors to provide constructive feedback as to exam performance and grading.*
- 15. Guidelines 5.18–5.20:** To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were reviewed and updated in a compliant manner, and compliance has been maintained.*
- 16. Guideline 5.24:** To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy, provided a copy of the policy to the State Bar, and implemented that policy.*
- 17. Guidelines 6.2–6.4:** To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.

Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi were updated appropriately. In the progress report, the law school advises that it has renovated the library space that had previously been destroyed by fire, and the law school intends to purchase the required library books upon the students' return to in-person classes.

- 18. Guidelines 7.1 and 7.2:** To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. *Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other technology options, which remain in working order.*
- 19. Guideline 9.1:** To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies, provided copies to the State Bar, and implemented those policies.*

SUGGESTIONS FOR MAINTAINING CONTINUED COMPLIANCE ADOPTED BY THE COMMITTEE

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements. *Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template used in all courses.*
2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures on generally accepted industry standards, consulting with an expert if the expertise is not available within the school. *Subsequent to the inspection, the school purchased commercially available software package with these features. All data is now stored in the system on a forward basis and a significant amount of history is also being loaded. The law school also purchased the appropriate storage containers for files held only in hard copy, such as data more than ten years old.*
3. Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that exam questions, accompanied by issue outlines or model answers, be reviewed, and approved by the dean or another legal educator before being administered. *Subsequent to the inspection, the law school created a proposed policy, provided a copy of that policy to the State Bar and scheduled the policy for consideration by the school's board this summer.*
4. Pursuant to Guidelines 5.17, 5.18, and 5.25, it is suggested that the school adopt and implement a procedure requiring grades and student exams papers to be reviewed and approved by the dean or another legal educator before being posted. *Subsequent to the inspection, the law school implemented a pilot policy, adjusted the policy based on the*

results of the pilot, provided a copy of the amended policy to the State Bar, and scheduled the amended policy for further discussion by the school's board this summer.

The law school not only maintained its prior progress, but also made significant additional progress, implementing many policies. Notably, the school has also repaired its library space previously damaged by fire. In addition, the law school has made an effort to maintain consistent staffing presence.

The law school will be providing further progress reports in its 2021 and 2022 Annual Reports and will be re-inspected in fall 2022.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

It is recommended that the Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020, as amended on May 28, 2021, be received and filed.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with staff recommendations, the following motion should be made:

MOVE, that the Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020, as amended on May 28, 2021 and set forth in Attachment A, be received and filed.

ATTACHMENT(S) LIST

- A. Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020

**PEOPLES COLLEGE OF LAW
NOVEMBER 2020 PROGRESS REPORT
ON COMPLIANCE WITH RECOMMENDATIONS
IN STATE BAR INSPECTION REPORT OF 2020**

RECOMMENDED MANDATORY ACTIONS IN 2020 INSPECTION REPORT

1. Guidelines 1.9 and 2.10:

Bar's Inspection Report

"To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. One provision of the policy is: "Once each calendar month, the Administrator shall distribute a reminder of this Student Privacy Policy, with its full contents, to the Registrar, the Dean, and all officers, members of committees, members of the Community Board, employees and Faculty Members, by automatically scheduled email or otherwise." Starting at the beginning of this academic year, we have complied by distributing the policy by email every month to the required recipients. The Dean has calendared for himself a reminder to distribute it at the beginning of every month. Soon our new Student Information System, Populi, will distribute it automatically on the first of every month.

2. Guideline 2.2(B)

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, and provided a copy of that policy to the State Bar.*"

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. This new policy appears in our Tuition and Enrollment Agreement and our Student Handbook & Catalog. In late August and early September 2020 the students signed their Tuition and Enrollment Agreements, with the refund policy prominently displayed. The Student Handbook & Catalog, with the new refund policy, is posted on our website.

3. Guideline 2.3(B)

Bar's Inspection Report

"To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that did not meet these criteria, and added the language regarding frequency.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by deleting from the Student Handbook & Catalog the courses required to be deleted. Also, this past summer (2020) we had two elective courses, clinical courses on Criminal Defense and Eviction Defense. It was the second year in which the clinical course on Criminal Defense was given, the first year for Eviction Defense. We want to repeat them next summer, but since the courses are so new, we have refrained from listing them in the catalog yet.

4. Guideline 2.3(D)

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and implemented.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by correcting, revising and implementing the disclosures. Since then the required disclosures were made in the Tuition and Enrollment Agreements signed by each student at the start of the fall quarter. The Rule 2.3(D) disclosure has been updated to reflect the change in the principal method of instruction, a change caused by COVID-19, from physical classroom instruction to online interactive instruction. On October 18, 2020, well before the deadline in Rule 4.241, the Dean signed and sent to the State Bar the certification of compliance required by the rule. In connection with preparation of the Annual Compliance Report, the Business and Professions Code section 6061.7 disclosure is being updated.

5. Guidelines 2.9(A)-(B) and 5.24

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided evidence of the updates as required.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising these policies as required. One of the changes in our policies has to do with student privacy. Specifically, our Student Handbook & Catalog now prohibits students from participating in proceedings involving possible academic disqualification of other students without consent of the student in jeopardy of disqualification. Likewise it prohibits students from participating in academic grievance proceedings without the consent of the student who made the grievance. These new provisions are being implemented right now. We are in the midst of proceedings in which a student is challenging a failing grade, and these new provisions have been put into practice. Specifically, the student was informed at the outset that without the student's consent, other students would not participate in the proceedings. The student in question chose to have the other students participate. The other students are members of our Faculty-Curriculum Committee. One of the functions of that committee is to pass on petitions for grade changes.

6. Guideline 2.9(C)**Bar's Inspection Report**

"To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising the policies as required. The Dean has reviewed the syllabi that have been entered into Populi, and finds that all but three professors have included in syllabi written statements of the components of course grades, but two of those are pass-fail courses. For the coming winter quarter, the Dean will send a reminder to all faculty to comply with this requirement.

7. Guideline 2.9(D)**Bar's Inspection Report**

"To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it is actively evaluating options to implement secure testing.*"

PCL'S Progress Report

During this fall quarter, PCL adopted the following policy and procedures on authentication of student work:

POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

A. Exams: All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that exams are given with Microsoft Teams. Teams requires students to register for each exam. The students' exam answers are sent to the Microsoft Teams account and only accessible through Teams. When taking the exams, the students' computer screens are locked upon being opened by the student, and thus the students cannot access other materials while the test is being taken. While taking the exam, the student is observed by the exam proctor through the webcam. The students' exam answers are submitted to the proctor through the students' Microsoft Teams account.)

B. Remote Class Participation: In all classes given remotely every student should have their video activated during the entire class, unless the student has hardware or software issues related to their computer or internet service provider or an extraordinary circumstance.

(The Faculty-Curriculum Committee notes that online classes are given with Microsoft Teams. The students attend class through teams. The students' names are shown during the class. The students are on camera during the class. Students speak during the classes, and their voices also identify them.)

8. Guidelines 2.10 and 5.17

Bar's Inspection Report

*"To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. **Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.**"*

PCL'S Progress Report

We have begun implementing our new administrative grade review policy. Our committee in charge of it, the Faculty-Curriculum Committee, has met to formulate plans for the first implementation, which will be for the fall quarter grades later in November. Our Registrar/Administrator has adjusted our Student Information System to hold the grades for administrative review before the grades are issued to students and entered in their transcripts.

9. Guidelines 2.11, 7.1, and 9.1

Bar's Inspection Report

"To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. **Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in this report.**"

PCL'S Progress Report

Our Registrar/Administrator has largely completed the very substantial job of entering the digital records into Populi.

10. Guideline 3.1

Bar's Inspection Report

"To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. ***Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its administrative capacity. The school also created compliant job descriptions for both the dean and the registrar.***"

PCL'S Progress Report

Our Registrar/Administrator continues working full-time. During this fall quarter, others have greatly contributed to the school's administrative work. Following are some examples. One of our upper division students trained faculty and students in the use of Microsoft Teams, our new system for online classes and exams, has inquired with faculty and students about problems experienced with Teams, and has assisted them with problems. Our Faculty-Curriculum Committee, whose members are students, faculty, alumni and the Dean, organized and conducted our student orientation and our fall faculty meeting. An ad hoc committee is organizing our upcoming Strategy Planning Meeting and Membership meeting. (PCL is a nonprofit corporation. That type of corporation has members rather than shareholders, and PCL's members are students, faculty, alumni and former board members and officers.) Our Development and Fundraising Committee, whose members are alumni and the Dean, has weekly meetings with our professional fundraiser, and along with her has submitted several grant applications this fall, and has begun planning an online fundraising event. We have been awarded one grant so far. Our Building Committee has helped with obtaining bids for repair of the library roof.

11. Guidelines 4.8 and 4.9

Bar's Inspection Report

"To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. ***Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.***"

PCL'S Progress Report

We have begun the process of instructor evaluation. Instructors are evaluated by their own students and by members of the Faculty-Curriculum Committee. We use a standard evaluation form. It has been sent to the students. Members of the Faculty-Curriculum Committee already have the form, and have begun sitting in on classes online as part of the evaluations.

12. Guidelines 5.3(A)(1) and 5.9

Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. This fall our Registrar/Administrator has been viewing the classes in order to take attendance and record it in Populi. At times the instructors have taken attendance and reported it to the Registrar/Administrator.

13. Guideline 5.8

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. Thereafter we had two clinical courses this summer. The Dean created an Excel spreadsheet form to be used by students as timesheets to record the time and activities of their course work. As an attachment to the email below, the Dean sent the timesheet form to all students and instructors in the clinical courses. The Dean sent reminder emails to the students a number of times during the summer quarter. At the end of the quarter, the Dean reviewed the timesheets submitted by the students, evaluated them, and reported to the Registrar/Administrator which students were entitled to credit for these clinical courses, and which were not.

From: Ira Spiro

Sent: Monday, June 29, 2020 6:49 PM

[names of recipients omitted from this report]

Subject: TIMESHEETS for CLINICAL CLASSES - MUST BE FILLED OUT BY STUDENTS TO GET CREDIT

Importance: High

Dear PCL SUMMER Students

Because of State Bar requirements, **you have to fill out timesheets in order to get credit for our clinical courses.** A form timesheet is attached, an Excel spreadsheet. It's very easy to use. I filled them out every day, all through the day, when I was practicing law. Here's what to do:

1. Download the attachment to your computer.
2. Type your name and the course name at the top.
3. If you're taking both clinical courses, you'll have to have two separate timesheets, so save it twice, each with a different name for use by your computer.
4. **Fill them out every day when you're done with work for the day.** Way too hard to wait, say, a week, and try to remember your time at the end of the week. This is very good practice for when you become a lawyer, because most all lawyers have to fill out timesheets
5. "Date" column: When you start typing the date, e.g. 6/29, the year gets filled in automatically.
6. "Hours" column: You can round to the nearest quarter hour, for example .45, 1.75, 2.25. (But when you practice law, you should round to nearest tenth.)
7. "Task" column: What you fill in can be very short. For example, "attend Zoom" or "draft letter" or "draft memorandum" or "phone call to prof". You can use abbreviations if you're sure you'll remember what they stand for. For example TC for telephone call, dft for draft, memo is fine for memorandum.
8. **Email them to me every Friday when you're done with your work that day.** State Bar requires someone on faculty to monitor the students, and it's going to be me.
9. If you have any questions about this, give me a call (310-235-2350), or send me an email. Remember, my phone doesn't receive texts.

14. Guidelines 5.17, 5.18, and 5.25

Bar's Inspection Report

"To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the school began addressing this issue and it continues to discuss further options with priority.*"

PCL'S Progress Report

The Inspection Report does not reflect a number of very important improvements PCL made between the time the report was first published by State Bar staff and the time it was adopted by the Committee of Bar Examiners. Therefore, we discuss those changes below, although we did report them during the summer.

Policies to Eliminate Grade Inflation

The Inspection Report, on page 15, referring to the 2014 inspection, states:

"To address grade inflation, PCL adjusted its grading scale and urged instructors not to inflate grades. PCL did not, however, adopt other policies to control inflation, such as administrative review of grades prior to their release, or reasonable limits on the extent to which grades may be based on class participation, including attendance. As concluded in 2014, a sound grading program would limit participation points to no more than three [of 100], and the award of points based on attendance is "clearly inappropriate" in light of Guideline 5.3(A)(1) minimum attendance requirement. PCL's policy allows up to thirty percent of a course grade to be based on participation."

This summer we did adopt the policies recommended in that paragraph. They are now in the Student Handbook & Catalog and the Faculty Handbook, as follows:

Grading Standards:

It is of primary importance for PCL students and all of PCL that the students have a realistic picture of a realistic picture of their outlook for passing First Year Law Students Exam (FYLSX) and Bar Exam. The pass rates for both exams have been very low. For example, the pass rate for the July 2019 Bar Exam was 14.4% for California Unaccredited law schools and 18.8% for California-Accredited (non-ABA) law schools.

On the FYLSX of June 2019, the pass rate was 23.5% for all takers and 28.1% for California Unaccredited Fixed-Facility law schools (PCL is in that category). Students' ideas about their chances on these exams are very likely influenced by their law school grades. If a student receives high grades, that is likely to raise the student's expectations of passing the FYLSX and the Bar Exam, but because of the low pass rates on the exams, the heightened expectations could well be unrealistic. In light of these and similar considerations, PCL has adopted these Grading Standards for all examinations and final grades (grades for the full quarter) in all courses that are not graded pass-fail. NOTE that in the grouping of grades in the table below, C- grades are grouped with the D grades. That is because at PCL, in order for a student to advance to the next academic year and graduate, the student must have a grade point average of C or better.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range should be under 10% of the grades, occasionally as much as 10%.
80 - 89	Grades in this range should be only for excellent work, not merely good work. On

(B+ , B and B-)	an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range should be under 20% of the grades, occasionally as much as 20%.
73 – 79 (C+ and C)	Grades in this range should comprise by far the largest share of the grades, often higher than 50%. But these grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 – 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range will often comprise 15% to 20% of the grades, sometimes higher than 20%.
59 and below (F)	Failing. Unfortunately, there will often be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

... class participation must not count for more than three percent (3%) of the final grade in a course, and attendance may not be counted at all towards the grade, inasmuch as minimum 80% attendance is required.

Administrative Review of Grades

In August, 2020, our Board adopted the following Administrative Review policy:

When faculty members have determined what grades they intend to give, the next step would not be to release the grades to the students, but instead to send the grades to reviewers. The reviewers very likely would include the Dean. Others could be members of the Faculty- Curriculum Committee and current or former faculty members, but faculty would not, of course, review their own grades, and students would not participate without consent of the student between reviewed.

The reviewers would study the grades for adherence to PCL grading policies. ... If the grade reviewers find deficiencies, they would communicate with the faculty member about curing the deficiencies and changing the grades. The Dean or the Faculty- Curriculum Committee or both would participate in those discussions and decisions on changing grades. When the decisions are made, the grades would then be sent to the Administrator for release to students.

Improvements in Eliminating Faculty Turnover

The 2014 Inspection Report observed (p. 9):

“PCL operates with an all-volunteer, adjunct faculty and has someone so since its founding [it remains true in 2020]; a clear testament to the faculty’s dedication to PCL’s mission of public service. One negative aspect of a volunteer faculty, however, is that PCL experiences a higher rate of faculty turnover than most law schools where faculty

members are paid even a modest stipend or salary. ... on average, 20% of PCL's faculty appears to be new each academic year."

That turnover situation has been reversed. In the present academic year, 2020-2021, all faculty members except three taught at PCL the previous year, 2019-2020. Faculty turnover had been on the decline previously as well.

15. Guidelines 5.18–5.20

Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were updated, and non-compliant policies deleted.*"

PCL'S Progress Report

The problem was some inappropriate policies. PCL has eliminated them, so by the very nature of this item 15, no further progress is needed or possible.

16. Guideline 5.24

Bar's Inspection Report

"To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As the Inspection Report notes, some months ago we adopted the required policy. The policy concerns limitations on repeating courses. As stated above, this fall a student has petitioned for permission to attempt to raise a failing grade. In order to raise the grade, the student will have to take a new exam or complete some other assignment to be determined by the instructor and the Faculty-Curriculum Committee working together. It is possible that the student may choose instead to convert the petition to one for repetition of the course pursuant to the new policy.

17. Guideline 6.2–6.4

Bar's Inspection Report

"To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research*

is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.”

PCL’S Progress Report

PCL has devised the requested plan regarding the library. It is set out in the Annual Report. It reads as follows:

PLAN TO RETURN TO COMPLIANCE: The brother of PCL founder, attorney Hank di Suvero, who died this year, has offered to donate funds for the library. Our plan is to use the money to restore the library to usable condition and purchase the books needed to bring the required hardbound books up to date, all to be completed by August 31, 2021. Our Board of Directors approved this plan on October 18, 2020.

We do still believe that the hardbound library requirement, which does not apply to other categories of California law schools, should not be applied to our category, as we have explained previously.

18. Guidelines 7.1 and 7.2

Bar’s Inspection Report

“To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options.”

PCL’S Progress Report

PCL purchased four matching, locking, letter-size Fireking fireproof file cabinets. We took delivery of them at our building and locked our paper files in them.

19. Guideline 9.1

Bar’s Inspection Report

“To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*”

PCL’S Progress Report

Our Registrar/Administrator reported as follows to the Bar and the Committee:

New Student Information System

To streamline and organize student records, faculty records, and other required organizational documentation, Peoples College of Law is transitioning to Populi, a web-

based Student Information System (SIS) to electronically maintain and store school records in a secure and confidential environment.]

Our SIS manages and stores student transcripts, student attendance (for online and in-class instruction) & participation records, academic programs & courses, course mapping for students and course rosters as well as provides reporting analytics to give perspectives on student data through particular data sets. The SIS also tracks a prospective student's application process and generates applicant reports for accepted and rejected applications. Once a student is enrolled, student agreements, billing (including invoices, payments, transactions, deposits, and tax forms) are also stored electronically. Faculty, Admin, and Registrar will have detailed information on students' grades and attendance in courses, with student course summaries and reports.

Our SIS system also has group sections that will accommodate our committees and store committee documents including minutes & agendas. Hardcopies of board minutes and Faculty minutes will also be kept in the administrator's office.

In addition to the SIS, the administrator will also maintain hardcopy files for students, administrative personnel, and faculty in fireproof, securely locked file cabinets.

We are currently transitioning to our new SIS. Our phase one phase has begun. We are integrating our historical and past data into our SIS and we will be entering student records for the past ten years, faculty information & records for the past five years, personnel records for the past ten years, and course information. We anticipate phase one will be completed by August. Phase 2 will involve entering historical student records and personnel records dating back to 2005. Historical permanent records dating back before 2005 will be electronically scanned and stored securely in the cloud as a back-up to the existing hardcopy files that are kept in fireproof, securely locked file cabinets.

PCL Files and Records

In preparation for the State Bar of California inspection, the administrator completed a thorough assessment of the school's files and records that fall under Rule 9.1 in the Guidelines for Unaccredited Law School Rules. Much of the reason that the school's records and files were out of compliance at that time was because there has not been a systematic uniform process set for each administrator who has worked at the school over the past several years.

For files and records that the administrator found to be out of compliance, best efforts were made to reconcile them prior to the inspection in January.

Files and records that were not compliant post inspection, the administrator continued to reconcile the deficiencies to complete the records.

Currently, the remaining noncompliant files under the Unaccredited Law School Rules Division 9.1 requirements are: faculty files, administrative personnel, and the file of all examinations given in the last (5) years.

Faculty Files: Approximately 1/3 of the faculty files for the past (5) years are missing law school transcripts. Administrator is actively contacting current and past instructors and requesting the missing law school transcripts. To prevent noncompliance within the

faculty records, our Faculty & Curriculum Committee are developing policy to request transcripts prior to hiring interviews or requiring them during new faculty onboarding.

Administrative Personnel Files: Several administrative personnel files are missing all or part of the required personal histories giving undergraduate education, graduate education, and law school education (if any) listing years attended, degrees conferred and summaries of professional careers and qualifications for being administrative personnel. The administrator is currently going through archived materials for older administrative personnel files. The administrator has requested information from current administrative personnel who have files missing the required information and will continue to follow up with those persons who are still missing some of their personal history.

File of Examinations: As required under 9.1(F), all examinations given in the last five years are to be kept in a file for inspection by the Committee. The administrator has been making best efforts to compile administered midterm and final exams for the past five years. For exams given in the 2019-2020 academic year, administrator has created a hard copy file and has actively been adding exams as they are administered. Our student information system (which we will implement for faculty this upcoming 2020 Fall Quarter) facilitates the creation of tests by instructor that are saved electronically per course as well as permits uploading of exams created outside of the SIS. Further, administrator is developing protocols to collect the hard copies of the exams as part of the administrator's checklist re: maintenance of required records.

Record Retention and Disposal Policy:

The school is also developing a policy for record retention and disposal and a retention schedule to ensure we keep records according to the State Bar Rules and Guidelines.

New Policy on Changes to Entries in Transcripts

PCL has adopted the following new policy on changes to entries in transcripts:

Changes to entries on a PCL transcript may be made only upon a showing of good cause. However, a contention or possibility that a grade given by an instructor was not justified shall not be good cause or an acceptable reason for a transcript change. If a present or former student wishes a change to an entry on the person's transcript, the following procedures apply

1. The present or former student must submit a written application to the Dean, specifying the change requested and the reasons for it. The application must include any documentation or evidence supporting the application.
2. The Dean must investigate the facts and circumstances pertinent to the application. In doing so, the Dean must read the entire application and materials submitted with it. The applicant shall have the right to speak with the Dean in support of the application, and to have an attorney or other representative do so as well. If the applicant requests the Dean to listen to any other person with information pertinent to the application, the Dean shall do so, but the Dean need not listen to an excessive number of such persons. The Dean may also communicate any person who may have information pertinent to the application, including but not limited to any present or former faculty member. The Dean may also speak with the Registrar, the Administrator and any other person with information pertinent to the application. The Dean may also consult any person outside

PCL who has expertise on the subject of transcripts, but shall maintain the confidentiality of the student's information by not disclosing the identity of the applicant. Before the Dean transmits to the applicant the Dean's decision on the application, the applicant may submit additional materials to the Dean, who must read them if time permits.

3. Within thirty days after receiving the application, the Dean must render a written decision on it and transmit the decision to the applicant. The Dean shall cause the application and decision and any materials the Dean read or considered in connection with the application to be placed in the applicant's student file. If the decision is that a change is to be made, the decision must specify the change, and if the applicant has not requested an appeal within the fourteen days to appeal, Dean shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

4. The applicant may appeal the decision of the Dean to the Community Board, but may do so only by transmitting to the Chair of the Board a request for appeal within fourteen days of receiving the Dean's decision. In the request, the applicant must state whether the applicant consents to participation in the appeal by student members of the Community Board. The Community Board may delegate the appeal to the Executive Committee. Within thirty days after the Chair receives the request for appeal, the Community Board or the Executive Committee, as the case may be, shall render a written decision on the appeal, and transmit it to the applicant. The Chair shall cause the request for appeal and any materials read or considered in connection with the appeal to be placed in the applicant's student file. If the decision on appeal is that a change is to be made, the decision must specify the change, and the Chair shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

5. No student member of the Community Board or the Executive Committee shall participate in the appeal unless the applicant consents in writing to participation by students.

RECOMMENDED SUGGESTIONS IN 2020 INSPECTION REPORT

1. Bar's Inspection Report

"Pursuant to Guideline 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements."

PCL'S Progress Report

As we have said, PCL's new Student Information System has electronic features that enable the school to create global rubrics for use in any or all the courses. Those features can also be used to create a standard syllabus template.

2. Bar's Inspection Report

"Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures upon the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school."

PCL'S Progress Report

As we report above, our data security is provided by the security protections of our new Student Information System, Populi. Populi's website states the following, among other things, concerning its security protections:

"Populi's servers are stored in an SSAE 16 Type II compliant data center that is physically secured behind a battery of compartmentalized security zones with biometric access controls. Numerous security, power supply, and infrastructure redundancies layer on additional safeguards.

"We built Populi on the open-source "LAMP" stack (Linux, Apache, MySQL, PHP), availing you of the same powerful, secure technology undergirding web companies like Google, Vimeo, Facebook, and Amazon."

3. Bar's Inspection Report

"Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered."

PCL'S Progress Report

We have not instituted this procedure. It would require a great deal of additional work for the Dean, and we do not have other legal educators available for it. The Dean has a good deal of other work to do for the school. Our entire faculty, and the Dean, are unpaid volunteers.

4. Bar's Inspection Report

"Pursuant to Guidelines 5.17, 5.18, and 5.25, it suggested that the school adopt and implement a procedure requiring that grades and student examinations papers must be reviewed and approved by the Dean or other legal educator before being posted.

PCL'S Progress Report

As we state above, we have adopted a procedure for administrative review of grades to take place before they become final and are posted. We have not adopted a procedure for review of examination papers. If we understand this idea correctly, it would be very difficult for us to do that for the same reasons that apply to item 3 above.

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EXHIBIT 3

Exhibit 3, pg. 1 of 33

Profiling the Outcomes on the FYLSX

AN STUDY OF EXAMINEE
PERFORMANCE AND OPPORTUNITIES
FOR PROGRAM IMPROVEMENTS

Exhibit 3, pg. 2 of 33

Presentation Outline

- I. The First-Year Law Students' Examination: Its History & Purpose
- II. Composition, Scoring & Decision Rules
- III. Research Questions & Study Data
- IV. Key Findings
- V. Considerations for Modification
- VI. Related Projects

PCL-SER-00219

Exhibit 3, pg. 3 of 33

I. The First-Year Law Students' Examination (FYLSE)

The History

- Unqualified students not eliminated in many unaccredited law schools *
- Only after failing CBX after years of study did students realize they would never qualify for admission to the bar *
- Officially instituted in 1935
- Authorized by Business & Professions Code section 6060(h)

The Purpose **

- Apprise students attending unaccredited schools of their potential for eventually becoming lawyers
- Curb recruiting abuses by unaccredited law schools
- Protect persons from continuing to spend time, money and effort in pursuit of profession for which they are not qualified
- Aid qualified persons in judging the quality of training and education they are receiving in preparation for the bar exam

* A Report of President's Advisory Committee to the Board of Governors of The State Bar (1933)

** *Bib'le v. Committee of Bar Examiners*, 26 Cal.3d 548 (1980); *Lupert v. California State Bar*, 761 F.2d 1325 (1985)

Exhibit 3, pg. 4 of 33

II. The FYLSX: Current Composition

- A one-day, remotely administered and proctored, examination consisting of two parts
 - Written Section
 - 4 Essay questions
 - Administered in the morning
 - 4 hours – 1 hr. per question
 - Multiple-Choice Section
 - 100 total items
 - Administered in the afternoon
 - 3 hours – 50 items per 90-minute session X 2
- Administered 2x a year in June & October
- **Subject area coverage**
 - Contracts
 - Criminal Law
 - Torts
- Current format has been in place since 1999

PCL-SER-00221

Exhibit 3, pg. 5 of 33

II. The FYLSX: Written Section

- Each administration has unique essay questions written & graded by State Bar staff and consultants
- Graded on a 40-to-100 point scale
 - Grading in 5-point increments
 - Similar to the General Bar Examination
- Each of the subject matter areas are covered by one or more of the questions
- About three months after examination, the questions are released to the public along with 2 answers from high scoring applicants

PCL-SER-00222

Exhibit 3, pg. 6 of 33

II. The FYLSX: Multiple-Choice Section

- Five 100-item forms have been used since 1999 (some item overlap between forms)
- Current item set developed between 1996 and 1998
- Since 2000, each form has been used 8 to 9 times
- Each form has roughly equivalent number of items covering Contracts, Criminal Law & Torts
- Over 400 unique items in the current item bank; 200+ new items have been developed but not tested until this year
- During the last two administrations, 50 of the new items have been pilot tested
- Each form contains a different set of 20 to 25 “equating” items
 - Equating items used to “anchor” tests
 - Equating designed to insure comparability of scores between forms and over time

PCL-SER-00223

Exhibit 3, pg. 7 of 33

II. The FYLSX: Scoring

1. **Raw Essay Score** = Sum of 4 questions (Max of 400 points)

2. **Raw MC Score** = Sum of 100 items (Max of 100 points)

3. **Scale MC Score** (Max of 400 points)

- a) "Equating" items are compared to same items on base 1998 form and other recent administrations of the same form
- b) Adjustment made for differences in difficulty over time and between forms
- c) Places raw MC score on a different scale of measurement (from 0 to 400 max)

4. **Scale Essay Score** (Max of 400 points)

- a) Raw essay score placed on the same scale of measurement as the Scaled MC Score
- b) Statistically, allows the Essay to have the same weighting as the MC

5. **Scale Total Score** (Max of 800)

- a) *Essay and MC are equally weighted (50 % + 50%)*
- b) Total Scale Score = Essay Scale Score + MC Scale Score

Exhibit 3, pg. 8 of 33

II. The FYLSX: Decision Rules

- **Initial Decision**

- Scaled Total Score ≥ 560 (70%) -> Pass *
- Scaled Total Score ≤ 540 -> Fail
- Scaled Total Score between these values -> Reappraisal

- **Reappraisal Procedure**

- The grading leader is provided with all raw and scale scores from initial grading
- The grading leader also given a calculation of the number of additional raw written points needed to achieve a passing score
- Grading Leader reviews each answer and then makes a final overall "Pass" vs. "Fail" decision

PCL-SER-00225

* Note: Cut score on the FYLSX established in 1999 to insure that the new scoring at the time would pass the same percentage of examinees as before the new version was implemented

Exhibit 3, pg. 9 of 33

III. Research Project: Policy Issues

1. The viability of the current FYLSX testing structure, i.e., use of a multiple-choice component and a written component.
2. The continuing requirement for a reappraisal phase during the grading and scoring process
3. The appropriateness of the scoring methods including the current component weighting rules, i.e., each component gets 50% weighting.
4. The appropriateness of the current FYLSX passing standard of 560 scale points, established almost 30 years ago.
5. The possibility of providing additional *statistical results to the public* that could aid students in their decision-making process to continue law school, and eventually take the GBX.

III. Research Project: Specific Research Questions

1. How have examinees performed on the FYLSX over time?:

- How many examinees have sat for the FYLSX
- How has performance on the FYLSX changed
- To what degree has performance differed by the type of law school and demographic composition of the population of takers?

2. What was the subsequent FYLSX experience for examinees who failed the FYLSX on their first attempt?:

- How many additional attempts would they make?
- What were their eventual outcomes?
- How much improvement was made on their subsequent attempts?
- To what degree were subsequent outcomes related to student demographics or the law school they attended?

Exhibit 3, pg. 11 of 33

III. Research Project: Specific Research Questions (Cont.)

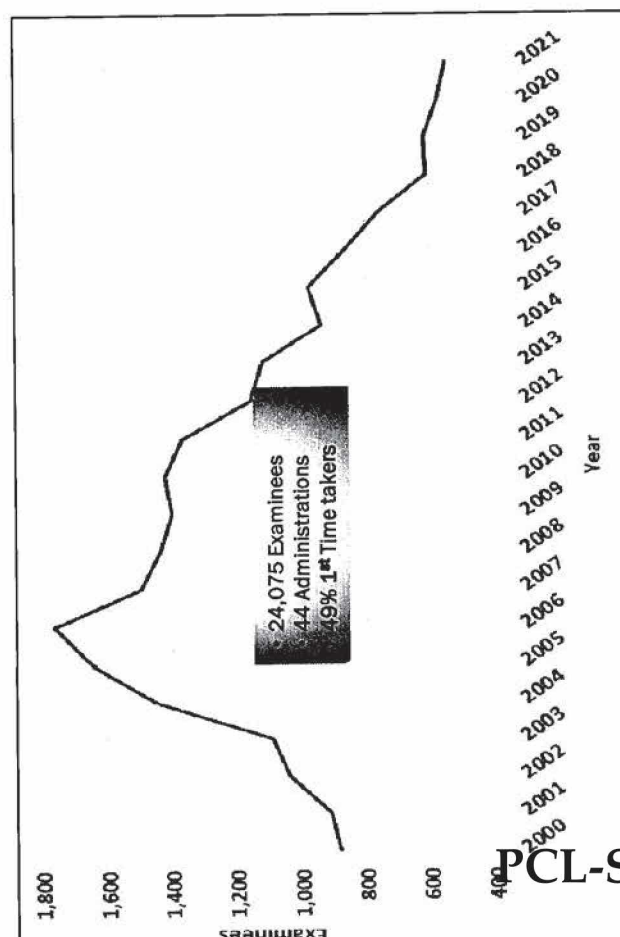
3. What was the *GBX experience for examinees who took the FYLSX*?

- How many examinees eventually sat for the GBX?
- How many attempts did it take them to eventually pass the GBX?
- To what degree was performance on the FYLSX related to eventual performance on the GBX?
- To what degree was examinees' GBX performance influenced by the type of law school attended or demographic characteristics?
- Was it possible to accurately predict who would eventually pass the GBX based on their FYLSX performance?
- How might these results have changed if the historic GBX passing standards of 1440 were reset to the current 1390 level?

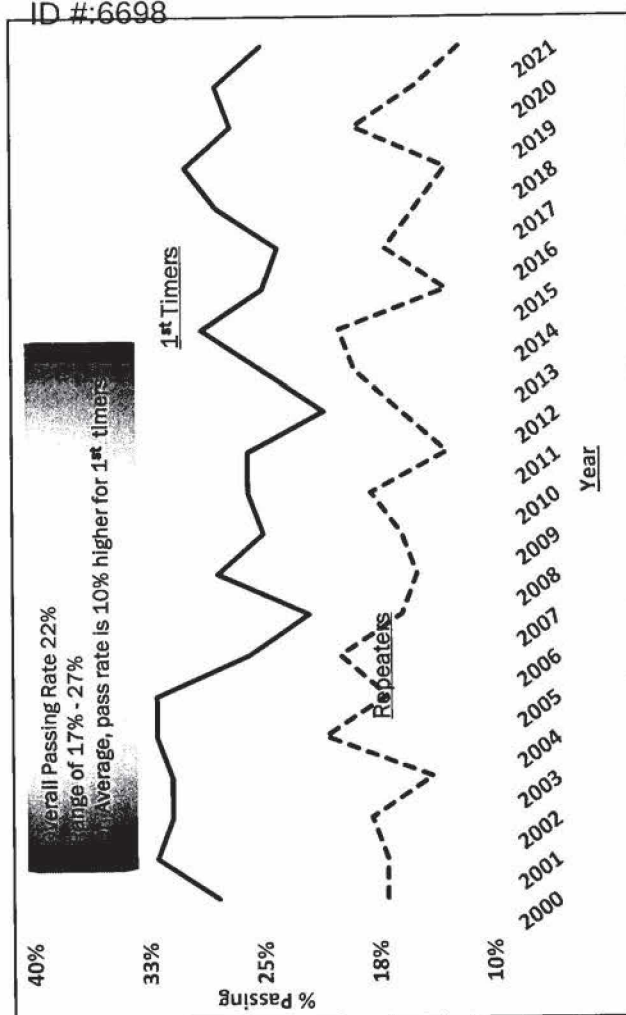
Exhibit 3, pg. 12 of 33

FYLSX Test-Takers 2000-2021

NUMBER OF TEST-TAKERS



PASSING RATES



PCL-SER-00229

Exhibit 3, pg. 13 of 33

III. Research Project: Study Data Selection

- Study focused on 1st time takers
- Each test taker “tracked” forward in time (i.e., longitudinally)
- Follow-up period of 10 subsequent administrations for each test taker
 - E.g., June 2000 test takers tracked through October 2005 examination
 - 99% made 8 or less attempts
- Resulting final sample consisted of 34 unique cohorts of 10,340 test takers
- Final study cohort took first FYLSX for first time in October 2016
 - Provided sufficient time to gather experience on General Bar Exam (GBX)

PCL-SER-00230

Exhibit 3, pg. 14 of 33

IV. Key Findings

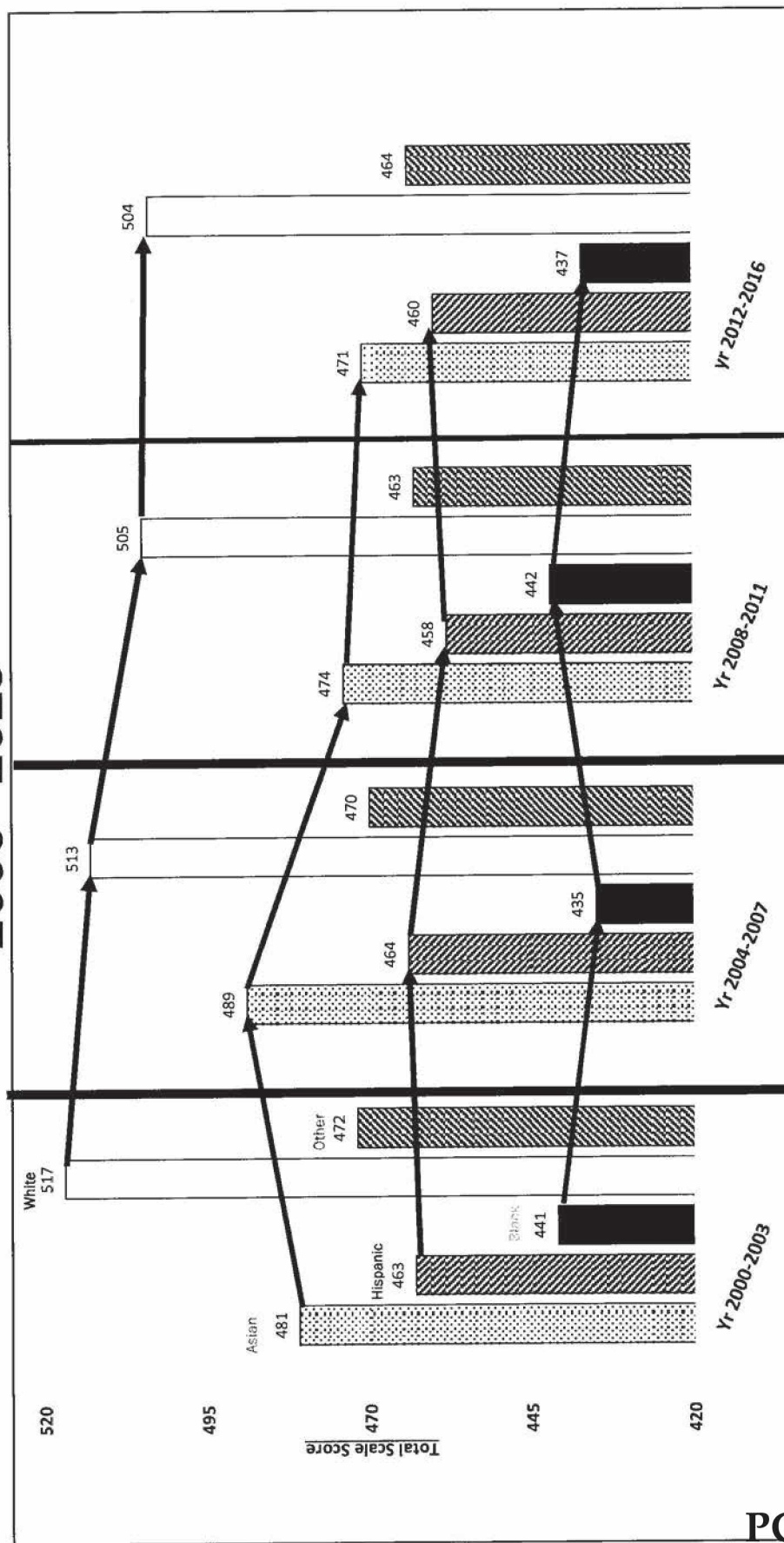
PCL-SER-00231

III. Research Project: Composition of Study Sample

Category	2000-2003 (N=2,168)	2004-2007 (N=3,223)	2008-2011 (N=2,686)	2012-2016 (N=2,263)	Total (N=10,340)
Race/Ethnicity					
Asian	9%	10%	11%	10%	10%
Hispanic	9%	10%	12%	15%	11%
Black	11%	10%	13%	12%	11%
White	57%	57%	51%	49%	54%
Other	5%	6%	8%	8%	7%
Missing	9%	7%	6%	6%	7%
Gender					
Male	58%	59%	54%	53%	56%
Female	36%	39%	42%	44%	40%
Missing	6%	2%	4%	3%	4%
School					
ABA	6%	6%	6%	5%	6%
Accredited	8%	6%	6%	5%	6%
Unaccredited	82%	86%	86%	87%	85%
Correspondence	24%	19%	24%	27%	23%
Distance Learning	36%	51%	46%	42%	45%
Fixed-Facility	22%	16%	16%	18%	18%
Other	3%	2%	2%	4%	2%
No. of Attempts					
1 Attempt	56%	52%	53%	51%	53%
2 Attempts	22%	24%	23%	25%	24%
3 Attempts	12%	12%	13%	13%	12%
4 Attempts	4%	6%	5%	5%	5%
5 or more	6%	6%	6%	6%	6%
Type of Examinee					
Regular	87%	90%	90%	93%	90%
Disqualified	11%	9%	9%	6%	9%
Special	2%	1%	1%	1%	1%

Exhibit 3, pg. 16 of 33

Average FYLSX Scores By Racial Ethnic Groups 2000 - 2016



PCL-SER-00233

Initial Passage Rates for 1st Time Test Takers by Year

2000-2016

Category	2000-2003	2004-2007	2008-2011	2012-2016	All Years
Overall	30%	28%	26%	25%	27%
Race					
Asian	27%	27%	27%	20%	26%
Hispanic	21%	17%	19%	18%	18%
Black	11%	6%	11%	8%	9%
White	39%	36%	35%	34%	36%
Other	21%	20%	17%	23%	20%
Missing	18%	22%	10%	13%	16%
Gender					
Male	33%	30%	30%	27%	30%
Female	28%	27%	24%	23%	25%
Missing	15%	6%	3%	11%	9%
School					
ABA	16%	27%	25%	13%	21%
Accredited	21%	12%	10%	10%	14%
Unaccredited	33%	30%	28%	26%	29%
Correspondence	38%	31%	33%	29%	32%
Distance	37%	33%	27%	27%	31%
Fixed	20%	18%	20%	20%	22%
Other	19%	20%	21%	25%	22%
Type					
Regular	32%	29%	27%	26%	28%
Disqualified	11%	17%	16%	12%	14%
Special	56%	43%	50%	28%	45%

Exhibit 3, pg. 18 of 33

“Eventual” FYLSX Outcomes

- 73% (N=7,504) failed on initial attempt
- Roughly, 2/3 (N=4,873) of those who failed attempted the FYLSX again
- Some examinees persevered more than others
 - 50% had 1 extra attempt
 - 26% had 2 attempts
 - 24% had 3 or more attempts
- 74% of those repeating the FYLSX showed some gain; Median improvement was 39 points
- Very **little difference** in improvement throughout the score range
- Statistical modeling showed that gains did not vary by ethnicity, gender or type of legal education
- Scores on 1st and follow up attempts on the MC portion correlated more highly (r=.74) than on the essay (r=.46)

PCL-SER-00235

Relationship between Initial FYLSX scores & Eventual Passing Rate: Examinees Making a Subsequent Attempt

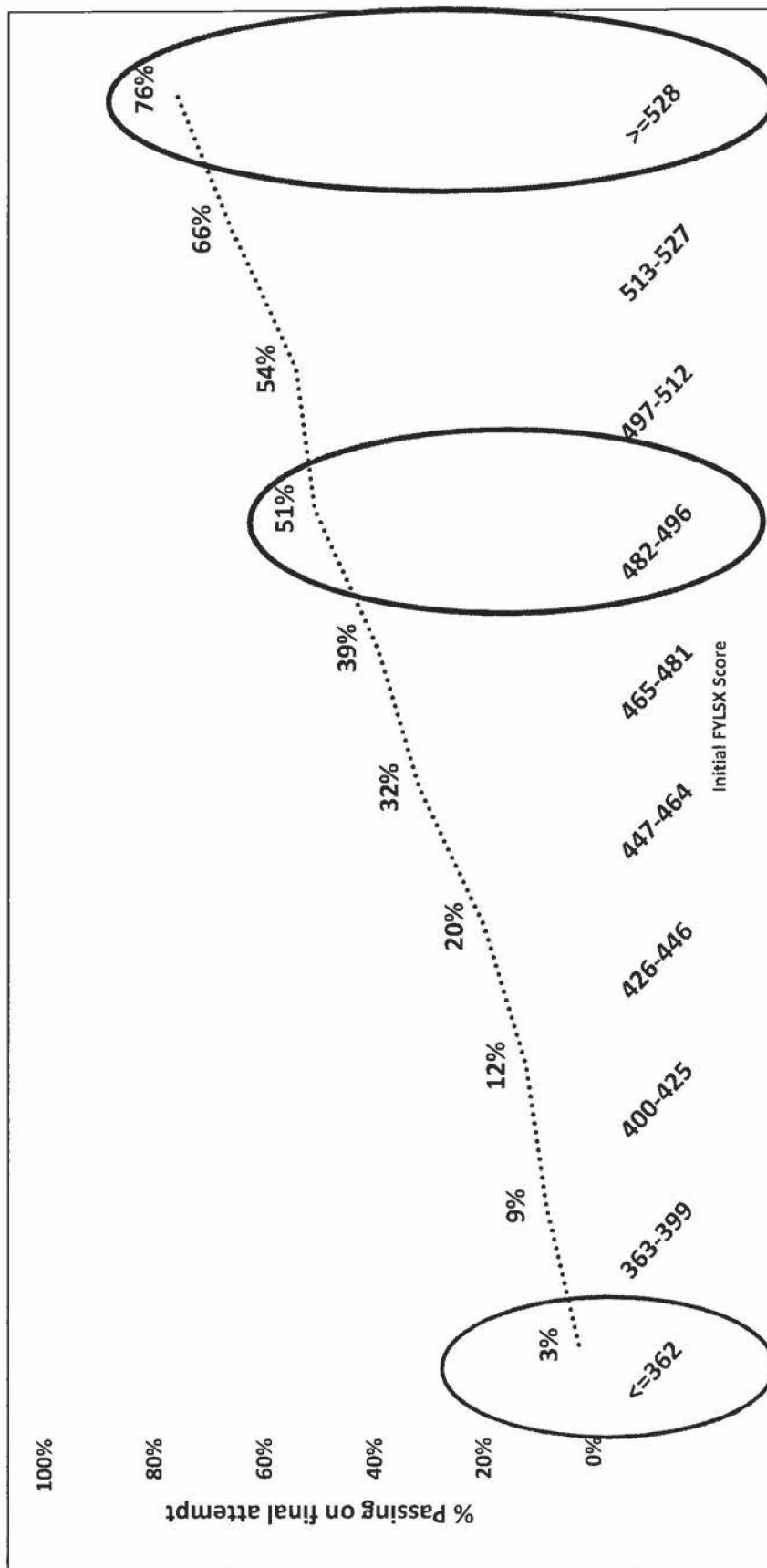


Exhibit 3, pg. 20 of 33

Comparison of Final FYLX Outcomes Obtained in the Previous Study* to Current Study

Group	% of Sample		Multiple Choice		Essay		Total	
	Previous	Current	Previous	Current	Previous	Current	Previous	Current
<u>Passed</u>								
1 Attempt	44%	44%	296	296	302	303	599	599
> 1 Attempt	30%	27%	284	284	293	292	578	577
<u>Failed</u>								
1 Attempt	56%	55%	228	223	225	218	452	441
> 1 Attempt	27%	30%	221	214	220	212	441	425
<u>Total</u>	100%	100%	254	251	256	252	510	503

*Wein & Bolus (2010)

PC-L-SER-00237

Exhibit 3, pg. 21 of 33

GBX Outcomes

PCL-SER-00238

Exhibit 3, pg. 22 of 33

Comparison of all FYLSX Takers to Those Subsequently Taking the GBX

Category	All FYLSX 1st Time Takers (N=10,340)	Eventual GBX Takers (N=3,516)
Overall	100%	35%
Exam Period		
2000-2003	21%	22%
2004-2007	31%	33%
2008-2011	26%	25%
2012-2016	22%	20%
Race/Ethnicity		
Asian	10%	11%
Hispanic	11%	10%
Black	11%	6%
White	54%	62%
Other	7%	6%
Missing	8%	5%
Gender		
Male	56%	59%
Female	40%	38%
Missing	4%	3%
School		
ABA	6%	7%
Accredited	6%	6%
Unaccredited	85%	83%
Correspondence	23%	21%
Distance Learning	45%	44%
Fixed-Facility	18%	18%
Other	2%	3%

Exhibit 3, pg. 23 of 33

“Eventual” GBX Outcomes for FYLSX takers

- 71% failed on initial attempt
- Initial GBX pass rates for the FYLSX takers were less than half the rate of all 148,222 1st time takers (29% vs 62%*)
- 83% of the failing applicants opted to retake the GBX
- 80% of those repeating the GBX showed some gain; Median improvement was 77 points
- The eventual passage GBX passage rate was 57%; twice as high as the initial pass rate
- At the current 1390 GBX standard, the initial and eventual passage rates would have been 37% and 62%
- After correction for “attenuation” FYLSX scores correlated .70 with GBX scores; relationship much stronger on the MC section than on the essay section.

* 62% inclusive of FYLSX takers

FCL-SER-00240

Exhibit 3, pg. 24 of 33

**Prediction of Students Final GBX Outcomes
Based upon Final FYLSX Scores**

<u>FYLSX Score</u>	<u>N</u>	<u>% of all FYLSX test takers</u>	<u>1440 Standard</u>		<u>1390 Standard</u>	
			<u>Actual Pass Rate</u>	<u>Predicted Pass Rate</u>	<u>Actual Pass Rate</u>	<u>Predicted Pass Rate</u>
541-560	725	7.0%	41%	39%	47%	45%
561-580	820	7.9%	49%	50%	55%	56%
581-600	589	5.7%	60%	61%	64%	67%
601-620	434	4.2%	70%	71%	77%	76%
621-640	275	2.7%	79%	79%	84%	83%
631-660	198	1.9%	88%	85%	89%	89%
661-680	102	1.0%	89%	90%	91%	92%
681-700	60	0.6%	92%	93%	95%	95%
> 700	45	0.4%	98%	98%	98%	98%

PCL-SER-00241

Exhibit 3, pg. 25 of 33

**Prediction of Students' Final GBX Pass Rate
For Different Racial/Ethnic Groups & Law Schools at
Varying FYLSX Scores**

<u>Group</u>	<u>Final FYLSX Scores</u>		
<u>Race/Ethnicity*</u>	<u>540</u>	<u>560</u>	<u>580</u>
Asian	36%	47%	58%
Hispanic	32%	42%	53%
Black	28%	38%	49%
White	43%	54%	65%
<u>School Type</u>			
ABA	83%	88%	92%
Accredited	37%	48%	59%
Unaccredited			
Correspondence	25%	35%	45%
Distance Learning	31%	41%	52%
Fixed-Facility	36%	47%	58%

Exhibit 3, pg. 26 of 33

Summary of Eventual FYLSX & GBX Outcomes
for Examinees Taking the FYLSX for the 1st Time
2000 - 2016

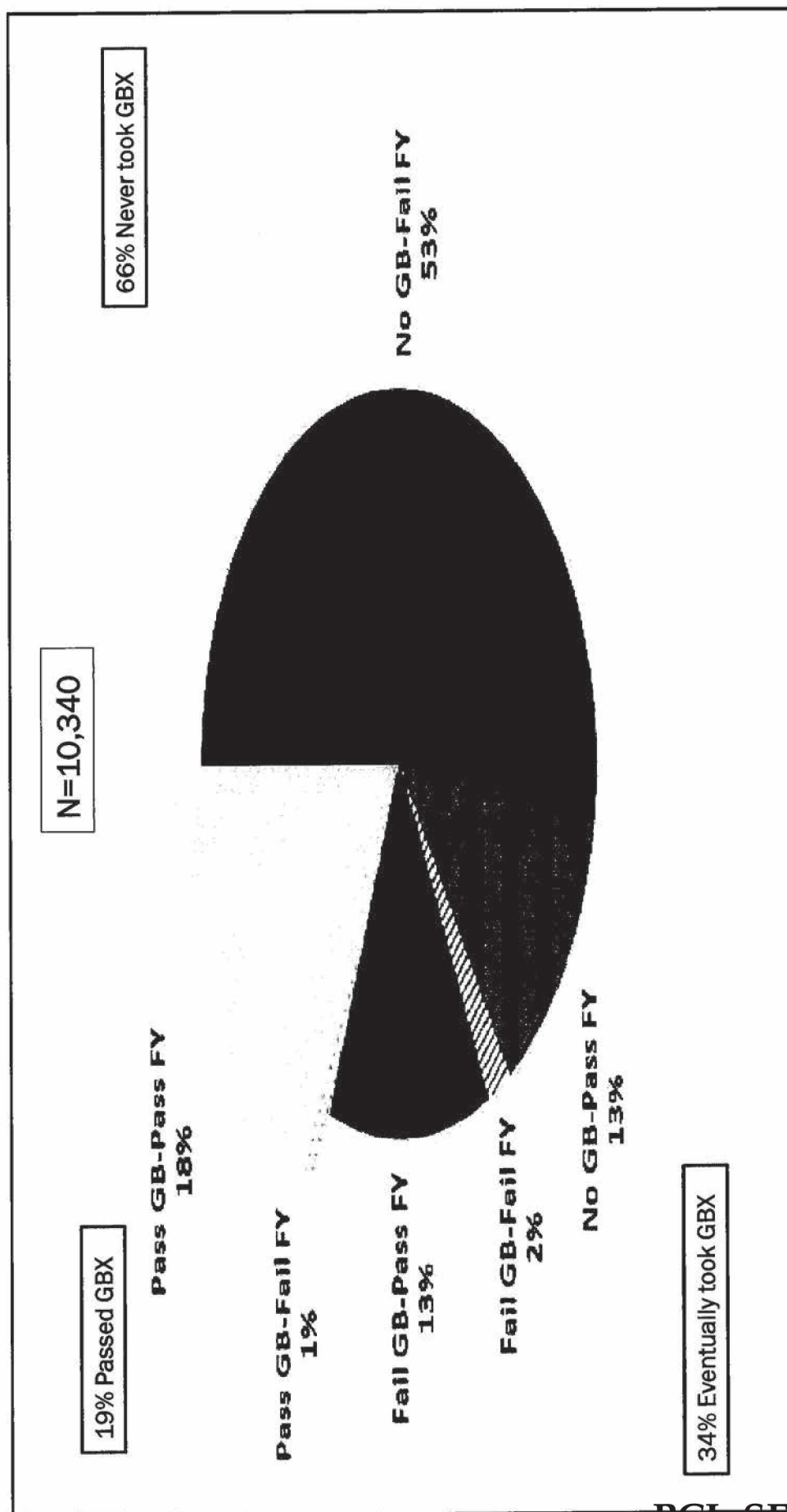


Exhibit 3, pg. 27 of 33

V. Considerations for Modification of the FYLSX

- **The Essay Section**
- **The Reappraisal Process**
- **The Passing Score**

PCL-SER-00244

Exhibit 3, pg. 28 of 33

Considerations for the FYLSX Essay Section

1. ADJUST WEIGHTING

Essay section has much lower reliability than MC section

Current weighting lowers predictive value of FYLSX scores

No previous documentation for current 1:1 section weights

Simulations with alternative weightings (2:1 and 3:1)

- Improved overall examination reliability by up to 5 points
- Did not substantively impact passage rates
- Did not differentially impact passage rates on any demographic group

2. ELIMINATE ESSAY SECTION COMPLETELY

- Operational impact

- Cost savings for development and grading
- Reduction in testing time
- Elimination of reappraisal phase

- Because of low reliability, essay scores are not useful for diagnostic purposes

- Score simulations eliminating essay section

- Slightly improved overall reliability

- Yielded an FYLSX score that *was as predictive of GBX outcomes as one that included essay section*

- Did not differentially impact passage rates on any demographic group

Exhibit 3, pg. 29 of 33

Considerations for the Reappraisal Process

Eventual Passage Rates for Examinees Going in FYLSX Reappraisal

<u>FYLY</u> <u>Score</u>	<u>Total</u> <u>Examinees</u>	<u>Passing</u> <u>Examinees</u>	<u>% Pass at</u> <u>that</u> <u>Score</u>
< 560	109	109	100%
558	129	127	98%
556	154	153	99%
554	140	138	99%
552	138	133	96%
550	122	107	88%
548	95	83	87%
546	88	72	82%
544	87	72	83%
542	79	58	73%
540	20	18	90%
Total	1161	1070	92%

Exhibit 3, pg. 30 of 33

Considerations for the FYLSX: Eliminate Reappraisal Process?

1. LOWER PASSING STANDARD TO 540

Operational impact

- No historical documentation for current reappraisal range
- Cost savings – less grading activity
- Faster release of results

Net effect of passing an additional 91 more students over 17 yrs.

Estimate 5 to 6 more students passing per year

Based on historic rates, estimate 4 more applicants subsequently taking the GBX per year.

2. MAINTAIN CURRENT 560 PASSING STANDARD

Operational impact

- No historical documentation for current reappraisal range
- Cost savings – less grading activity
- Faster release of results

• Would have failed more 1,116 examinees

• Lower eventual pass rate from 44% to 33%

• Improve overall eventual GBX passage rate since students scoring in the FYLSX 540-560 score range only had a predicted 39% passage rate.

• Projections based on mathematical models

Exhibit 3, pg. 31 of 33

Considerations for the Current Passing Standard

- **Current passing standard set over 30 years ago**

- 1998 Standard Setting Studies led to inconclusive results
 - Unaccredited school panelists set standard at 538 ; ABA school panelists set standard at 574
- Current form of FYLSX configured in 1998
 - Decision made to set pass point on the new exam such that same percentage would pass as in previous version

- **FYLSX has gained a reputation as one of the “most difficult” law examinations in the U.S.**

Similar to the GBX, the passing rate on the FYLSX has continued to drop (15% in 6/23) as has the number of test takers (190 in 6/23)

Standards for Educational and Psychological Testing recommend passing standards be revisited every 7 years

- **Setting a standard should be informed by empirical evidence and subject matter specialist**

Exhibit 3, pg. 32 of 33

Considerations for the Current Passing Standard

Projected GBX Passage Rates For Examinees Scoring Below 540 On Their Final FYLSX Attempt

Score Range	1440				1390			
	Examinees Within Score Range		Cumulative Examinees Within Score Range		Pred Pass Rate W/N Examinees		Additional Examinees Passing	
	Range	Score	Range	Score	Range	Passing	Range	Passing
531-540	212	212	212	212	32%	68	37%	78
521-530	229	441	441	441	27%	62	32%	73
511-520	282	723	723	723	23%	65	27%	76
501-510	296	1019	1019	1019	19%	56	23%	68
481-500	638	1657	1657	1657	15%	96	17%	108
461-480	664	2321	2321	2321	10%	66	12%	80
431-460	628	2949	2949	2949	7%	44	8%	50
421-440	590	3539	3539	3539	4%	24	5%	30
401-420	511	4050	4050	4050	3%	15	3%	15
						496		579
						481		563
						457		534
						413		484
						347		404
						251		296
						195		227
						130		151
						68		78
						56%		61%
						54%		59%
						52%		57%
						50%		55%
						46%		50%
						42%		46%
						39%		42%
						36%		39%
						34%		37%

Exhibit 3, pg. 33 of 33

VI. Related FYLSX Project Activities

- Review of content specifications (Completed 6/2022)
 - 13 law school administrators and faculty served as panelists
 - 125 domains/sub-domains covered in Contracts, Criminal Law, and Torts evaluated for:
 - Importance as an indicator of first year law school performance (97%)
 - "Borderline proficient" student should know topic (89%)
 - Relative importance
 - Identified potential new content areas & areas for deletion
- Review of FYLSX multiple-choice item bank (reviewer meetings completed 3/2023; follow-up Staff review ongoing)
 - 20 law school administrators and faculty (7 teams) convened during March to review all MC items along 4 dimensions
 - Alignment with general specifications (97%)
 - Item aligned with content (90%)
 - Appropriateness of answer key (98%)
 - Potential bias (2%)
 - Problematic items identified for modifications and/or deletion
- Statistical Review (Ongoing)
 - Psychometric analysis of item performance since 2000
 - Differential Item Analysis (DIF) to examine possible gender or racial/ethnic bias
 - Testing of experimental items during 2 recent administrations

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EXHIBIT 4



Todd Hill <toddryangregoryhill@gmail.com>

You requested an informal transcript

Todd Hill <toddryangregoryhill@gmail.com>

Tue, Jul 18, 2023 at 7:32 PM

To: administrator <administrator@peoplescollegeoflaw.edu>

Cc: Kevin Clinton <antitrust@ftc.gov>, Antitrust@calawyers.org, Kevin Clinton <fbi_ncra_duty@fbi.gov>, "Kramer, Paul" <paul.kramer@calbar.ca.gov>, Kevin Clinton <Ruben.duran@calbar.ca.gov>, Jorge.Navarrete@jud.ca.gov, Kevin Clinton <leah.wilson@calbar.ca.gov>, melanie.shelby@calbar.ca.gov, "Sowell, Arnold" <arnold.sowell@calbar.ca.gov>, mark.toney@calbar.ca.gov, Linda Keller <lkeller@tjisl.edu>

Attorney Gonzaga,

I hope this missive finds you well.

This missive consists of a brief initial response and request to re-open and potentially expand my complaint, the production of additional evidence, and a request for clarification(s).

1. Initial response:

a. There appear to be several substantive errors in the conclusions and the analysis approach you indicate being taken. It also seems you are implying the use of a procedure that conforms to "due process", yet you never indicate what documents you reviewed, what persons you spoke to and you never even called during the "course" of your investigation to ask me for specific details.

b. Your letter clearly and plainly misstates the law or "accurately states the law" in a manner where the facts are misrepresented and thus misconstrues the nature of my complaints.

For example, in your letter, on page 2, under the heading "Evaluation", your first sentence is "Many of the assertions in your complaint (this one totalling 114 pages) are speculative, argumentative, or conclusory." You go on to say that **"the crux of our evaluation is only of the alleged facts."** (emphasis in bold added).

Yet you provide no examples of such statements, fail to provide information related to the documents reviewed, and otherwise fail to provide a document that actually responds to the complaints.

In addition, there is a question of privacy violations and consent under PC637; I do not believe you have the authority to say that something is merely civil, when questions of consent are ALWAYS questions of fact.

You further state that "The State Bar does not have jurisdiction over civil issues." But it is a clear precept that any pattern of infractions, even minor ones, may give rise to disbarment.

The question here of staff accountability, especially for those staffers that are also sworn attorneys, for tortious acts performed over protracted periods arises.

If it were truly the case that you "accepted the alleged facts as true", then your analysis seems light. In addition, as an attorney I should not have to tell you the "specific ethical obligations violated" because you have express and constructive knowledge of the rules. (FYI - I scored 115 on the MPRE). I cannot say whether this is or is not evidence of "abuse of discretion" because I do not have sufficient details on how you actually arrived at your determination. (A further example here, there is no discussion of Federal Rule 8 or Federal Rule 9, which addresses pleading special matters and changes the standard for statement review. What may fail under Rule 8 given the nature of my claims may be appropriate under Rule 9).

c. You state that the conduct does not present "colorable" attorney misconduct. Yet here, a mere sampling from the facts yields a brief list of issues: (Note ¶ numbers reference the document HILL v STATE BAR and PEOPLES COLLEGE of LAW SFAC Complaint 223cv01298JLSPDx 050523_.pdf, submitted with my complaint.)

Negligence (¶76, ¶94, ¶95, ¶106, ¶112, ¶114): As the entity responsible for regulating law schools and enforcing the State Bar Act of 1927, the State Bar could be held liable for negligence. This could be due to its alleged failure to take substantive action in response to the notifications about potential violations of California law by PCL's agents, Directors & Officers. It is also argued that the State Bar's gross negligence allowed PCL to operate irresponsibly and implement inappropriate public policies or regulatory rules, engaging in protracted egregious conduct.

PCL-SER-00252

Breach of Fiduciary Duty (§§84, §103, §106): If the State Bar was aware of PCL's violations and failed to act, it might be seen as a breach of their fiduciary duty. This is especially applicable if they had constructive or express knowledge of PCL's non-compliant status and continued solicitation of students and board participation.

Conflict of Interest and Misrepresentation (§§103, §84): The State Bar could be accused of a conflict of interest, particularly if they knowingly allowed PCL to recruit students without properly informing them of the institution's non-compliant status. In addition, if any of the individual defendants, including SPIRO, GONZALEZ, PENA, and others, made intentional misrepresentations of facts, it could lead to liability for those individuals as well as the institution they represent.

Violation of Fair Business and Debt Collection Practices (§§97, §111, §104): PCL's failure to provide the plaintiff with accurate records and a proper accounting for the funds they claimed were owed could be seen as a violation of fair business practices and debt collection laws. Under California Business and Professions Code Section § 8330, businesses are required to maintain and provide access to accurate records.

Failure to Uphold Institutional Bylaws and Regulatory Rules (§§78, §79, §89, §103): If PCL and the State Bar failed to uphold and enforce their own bylaws and regulatory rules, such as the "Unaccredited Law School Rules" or the egalitarian decision-making principles outlined in PCL's bylaws, they could face additional liability.

Retaliation (§84): If the individual defendants retaliated against the plaintiff for trying to address compliance issues, this could lead to legal consequences. It's illegal for organizations to retaliate against individuals who attempt to exercise their legal rights or expose illegal practices.

Willful Negligence and Anticompetitive Behavior (§85): The plaintiff's allegations of a pattern of willful negligence and anticompetitive combinations that removed student consumer protections, if proven, could expose PCL and the individual defendants to additional liability, potentially under both state law and federal antitrust law.

d. Specific issues as to State Bar conduct:

Fraudulent Misrepresentation: If the law school administrators knowingly misrepresented the student's grades to them or any other party, there might be grounds for a claim of fraudulent misrepresentation.

Negligence: If there has been an error in recording or reporting the grades, then this could be seen as a form of negligence. If the administrators failed to provide a reasonable standard of care in recording and reporting the grades, the school might be liable for damages.

Breach of Contract: Most students and educational institutions have a form of contract, whether written or implied. The school promised and is required to accurately record and report grades, and failed to do so. More importantly, when the parties were made aware of the conflict or questions of law, they persisted in the conduct. When does mere negligence become gross or reckless? This question goes beyond breach of contract to inquire when something is identified in the civil and penal code.

Breach of Fiduciary Duty: Educational institutions often have a fiduciary duty to their students. If the administrators failed to act in the best interest of the students, they could be held liable for breaching their fiduciary duties.

Privacy Violations: If the administrators were discussing a student's grades inappropriately or sharing the grades without the student's consent, this could potentially be a violation of privacy laws or regulations, like FERPA in the U.S.

As for criminal activity:

Forgery: If an administrator or faculty member changed a student's grades without the student's knowledge or permission, this could potentially be considered forgery.

Identity Theft/Fraud: If any part of the grade-changing process involved impersonating a student or faculty member, or using their login credentials without their permission, this could potentially fall under identity theft or fraud.

Computer Crime/Cybercrime: Unauthorized access to, or manipulation of, computer systems or data may constitute a computer crime or cybercrime.

State Bar - Negligence (§§76, §94, §95, §106, §112, §114): Being responsible for regulating law schools and enforcing the State Bar Act of 1927, the State Bar might be held liable for negligence. The State Bar's alleged failure to respond substantively to the plaintiff's notifications of potential violations of California law by PCL's agents, Directors & Officers could be seen as such. Additionally, the claim that the State Bar, in a grossly negligent manner, allowed PCL to operate and implement inappropriate public policies or regulatory rules could be grounds for negligence.

State Bar - Breach of Fiduciary Duty (§§84, §103, §106): If the State Bar knew about PCL's violations and didn't act, it

might be considered a breach of their fiduciary duty. This liability becomes more potent if it can be proved that they had constructive or express knowledge of PCL's non-compliant status and its ongoing solicitation of students and board participation.

State Bar and Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Conflict of Interest and Misrepresentation (¶103, ¶184): The State Bar might face accusations of a conflict of interest, especially if it knowingly allowed PCL to recruit students without properly disclosing the institution's non-compliant status. Moreover, if the individual defendants, including SPIRO, GONZALEZ, PENA, and others, intentionally misrepresented facts, it could lead to their individual liability as well as liability for the institution they represent.

PCL - Violation of Fair Business and Debt Collection Practices (¶97, ¶111, ¶104): PCL's failure to provide the plaintiff with accurate records and a proper accounting for the funds they claimed were owed could be construed as a violation of fair business practices and debt collection laws. Under California Business and Professions Code Section § 8330, businesses are mandated to maintain and provide access to accurate records.

PCL and State Bar - Failure to Uphold Institutional Bylaws and Regulatory Rules (¶78, ¶79, ¶89, ¶103): Potential liability could arise if PCL and the State Bar failed to uphold and enforce their own bylaws and regulatory rules, such as the "Unaccredited Law School Rules" or the egalitarian decision-making principles in PCL's bylaws.

Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Retaliation (¶84): If the individual defendants retaliated against the plaintiff for his attempts to address compliance issues, this could lead to their individual liability. Retaliation against individuals who seek to exercise their legal rights or expose illegal practices is prohibited by law.

PCL and Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Willful Negligence and Anticompetitive Behavior (¶85): The plaintiff's allegations of a pattern of willful negligence and anticompetitive combinations that removed student consumer protections, if proven, could expose PCL and the individual defendants to additional liability, potentially under both state law and federal antitrust law.

e. Your letter implies that no internal employee discipline is appropriate either.....where the facts indicate the need for a State Bar documented response to my requests for aid and protection, there may lie other issues.

f. Finally, I have attached a closure report you authored from a facially unrelated complaint that appears more thorough in its approach and response. (Please see Cal_20Bar_20Response_20-3_20Dec_202022.pdf (5,433K)).

g. Spiro misrepresented the facts in his motion in opposition, indicating that I had never told him or attempted to meet with him on the filing of the SFAC (attached); I have provided you with additional evidence of the false submission for you to further review. Below the list of accompanying documents, please also see a relevant email chain.

Thanks for the time and attention taken to re-open and review this matter.

When might I reasonably expect a response?

Todd

SPIRO MOTION IN OPPOSITION TO SUPPLEMENTED FAC 05212023.pdf (362K)
email to spiro with SFAC 05052023.pdf (77K)
TRANSCRIPT 08-29-22 with full Civ Pro Grades & cover letter (2).pdf (114K)
Todd Hill Eviction Defense Timesheet - Clinical Course v6.xls (208K)
Todd Hill Criminal Defense Timesheet - Clinical Course v7.xls
rgcsitton_2023-07-18_175213.pdf (3,027K)
Cal_20Bar_20Response_20-3_20Dec_202022.pdf (5,433K)

Email exchange below because I have NEVER received accurate transcripts. I claim the scheme was to disincentivize transfer. Waiting 3 years for a transcript?

----- Forwarded message -----

From: **Todd Hill** <toddryangregoryhill@gmail.com>

Date: Mon, Jul 17, 2023 at 1:16 PM

Subject: Re: You requested an informal transcript

To: administrator <administrator@peoplescollegeoflaw.edu>

Cc: Edith Pomposo <dean@peoplescollegeoflaw.edu>, Kevin Clinton <natalie.leonard@calbar.ca.gov>, Kevin Clinton <leah.wilson@calbar.ca.gov>, Kevin Clinton <hectorpena@ucla.edu>, Kramer, Paul <paul.kramer@calbar.ca.gov>, <melanie.shelby@calbar.ca.gov>, Sowell, Arnold <arnold.sowell@calbar.ca.gov>, <brandon.stallings@calbar.ca.gov>, Kevin Clinton <audrey.ching@calbar.ca.gov>, Elena Popp <elenaipopp17@gmail.com>, Héctor Peña Samir <hpena@peoplescollegeoflaw.edu>, <mark.toney@calbar.ca.gov>, Kevin Clinton <Ruben.duran@calbar.ca.gov>,
PCL-SER-00254

Case 2:23-cv-01298-JLS-BFM Document 148 Filed 08/21/24 Page 145 of 188 Page 145 of 188

8/13/24, 12:12 PM
president@peoplescollegeoflaw.edu. <president@peoplescollegeoflaw.edu>, Rebecca Hirsch <registrar@peoplescollegeoflaw.edu>
ID #: 6724

[Quoted text hidden]

8 attachments

 **rgcsitton_2023-07-18_175213.pdf**
3027K

 **Cal_20Bar_20Response_20-3_20Dec_202022.pdf**
5433K

 **email to spiro with SFAC 05052023.pdf**
77K

 **SPIRO MOTION IN OPPOSITION TO SUPPLEMENTED FAC 05212023.pdf**
362K

 **Todd Hill Criminal Defense Timesheet - Clinical Course v7.xls**
205K

 **TRANSCRIPT 08-29-22 with full Civ Pro Grades & cover letter (2).pdf**
114K

 **Todd Hill Eviction Defense Timesheet - Clinical Course v6.xls**
208K

 **HILL v STATE BAR and PEOPLES COLLEGE of LAW SFAC Complaint 223cv01298JLSPDx 050523_.pdf**
927K

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EXHIBIT 5



THE STATE BAR
OF CALIFORNIA

1191 Huntington Drive #104, Duarte, California 91010
(626) 784-5914
email: rcgsitton@outlook.com

SPECIAL DEPUTY TRIAL COUNSEL

May 26, 2023

PERSONAL AND CONFIDENTIAL

Todd Hill
41459 Almond Avenue
Quartz Hill, California 93551

RE: Case No.: 23-O-16326
Respondent: Natalie Leonard

Case No.: 23-O-16327
Respondent: Robert Spiro

Dear Mr. Hill:

I am the Special Deputy Trial Counsel¹ assigned to conduct an independent review and evaluation of your complaints against Natalie Leonard and Robert Spiro. My evaluation is now complete. There is insufficient basis to proceed with disciplinary investigation based on either of your complaints, and these matters are closed.

Summary of Complaint

You have ongoing disputes with People's College of Law, a law school where you attended and/or continue to attend.

During the pertinent time period, Mr. Spiro was an administrator at the law school; he was the law school dean until 2021. Natalie Leonard was the Principal Analyst in the Admissions Office of the State Bar of California; and, in that capacity, she was reportedly responsible "for compliance reporting and student protection for law school administration and regulation."

You are complaining that Mr. Spiro committed acts that constitute breaches of contract, breaches of fiduciary duties, misrepresentation, negligence, conspiracy, extortion and civil rights violations. The alleged acts include: he did not inform students of the intended use or purpose of their tuition payments; he conspired to provide inaccurate transcripts and incorrect class credits; he did not provide you access to certain documents, including board meeting minutes and accountings, maintained by the law school; he misused funds donated to the school.

¹ A Special Deputy Trial Counsel is appointed pursuant to rule 2201 of the Rules of Procedure of the State Bar of California in situations where the State Bar's Office of the Chief Trial Counsel is recused from considering disciplinary complaints against various categories of individuals, including complaints that present a conflict of interest.

Complainant Todd Hill
State Bar Investigation Nos. 23-O-16326, 23-O-16327
Respondents Natalie Leonard and Robert Spiro
May 26, 2023
Page 2

PERSONAL AND CONFIDENTIAL

You are also complaining that Natalie Leonard breached her employment duties in that she conspired with Mr. Spiro and others in failing “to timely intervene to protect students or otherwise stop institutional misconduct” by the People’s College of Law.

Evaluation

Many of the assertions in your complaints are speculative, argumentative or conclusory. We cannot use speculative, argumentative or conclusory statements to warrant a disciplinary investigation. Therefore, the crux of our evaluation is only of the alleged facts.

For purposes of our evaluation, we assumed that the facts you reported are true and can be proven. Then, we ascertained whether the alleged facts, if true, present a colorable violation of the State Bar Rules of Professional Conduct or the State Bar Act. If so, then, a disciplinary investigation is warranted; if not, then the complaints must be closed.

Here, it is clear that the alleged facts involving Mr. Spiro relate to the ongoing disputes you experienced or are experiencing with People’s College of Law about its administration and governance. The alleged fact involving Ms. Leonard is that she refrained from interfering in those disputes.

The question then is whether Mr. Spiro’s actions or Ms. Leonard’s lack of action constitute a violation of the Rules of Professional Conduct or State Bar Act. They do not.

The disputes between you and the law school present civil issues. Indeed, you recently filed a civil lawsuit wherein you included the same allegations you made in the State Bar complaints against Mr. Spiro and Ms. Leonard. You incorporated the lawsuit into your State Bar complaints.

The State Bar does not have jurisdiction over civil issues. The attorney discipline system in California is not intended to resolve disputes between parties in civil cases. Moreover, the discipline system is not designed as a platform wherein parties can litigate issues that are pending in civil court. That said, however, if during the civil litigation, the judge opines that an attorney is culpable of misconduct which implicates a *specific* ethical obligation of a lawyer beyond the parameters of a pure civil dispute, the Court can always report the conduct to the State Bar on its own initiative. You may also provide the court’s written opinion or ruling to the State Bar for disciplinary consideration.

Based on the above, we conclude that your complaint does not present a colorable violation of disciplinary rules. Therefore, we are closing your complaints against Mr. Spiro and Ms. Leonard.

You may consult with legal counsel for advice on available remedies including recovery of legal costs. The local or county bar association have lawyer referral services, if you need them.

If you wish to present any *new facts or circumstances* you believe may change my determination to close your complaint, you may submit a written statement with the new information to my mailing address on this letterhead.

PCL-SER-00258

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ID #:6728 Exhibit 5 - pg. 3 of 3

Complainant Todd Hill
State Bar Investigation Nos. 23-O-16326, 23-O-16327
Respondents Natalie Leonard and Robert Spiro
May 26, 2023
Page 3

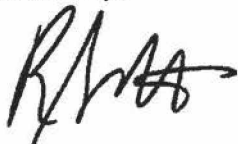
PERSONAL AND CONFIDENTIAL

If you *disagree with the decision to close your complaint*, you may submit a request for review by a different Special Deputy Trial Counsel who will review your complaint and this decision. Your complaint may be reopened if it is determined that your complaint was inappropriately closed or that you presented new, significant evidence to support your complaint. To request a second review, you must submit your request in writing, together with any new evidence you wish to be considered, postmarked within 90 days of the date of this letter. The second look request should be addressed to:

Stacia Laguna
Special Deputy Trial Counsel – Administrator
25005 Blue Ravine Road, Suite 110, #406
Folsom, California 95630

If you ask for a second review, your matter will be transferred to another lawyer for independent review. That lawyer may reopen your complaint if it is determined that my decision to close this matter was an abuse of my prosecutorial discretion.

Sincerely,



Rizamari Gonzaga Sitton
Special Deputy Trial Counsel

PCL-SER-00259

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EXHIBIT 6



Todd Hill <toddryangregoryhill@gmail.com>

Todd Hill's email chains

6 messages

Ira Spiro <ira@spirolawcorp.com>

Sun, Nov 21, 2021 at 9:59 AM

To: Todd Hill <toddryangregoryhill@gmail.com>, "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramirez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualt0@yahoo.com)" <pascualt0@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu" <president@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, "CarolJD@pacbell.net" <CarolJD@pacbell.net>, "Joshua Gillins Uosh_g19@yahoo.com" <josh_g19@yahoo.com>, Kevin Clinton <kevinclintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, "dean@peoplescollegeoflaw.edu" <dean@peoplescollegeoflaw.edu>, hector pena <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, "audrey.ching@calbar.ca" <audrey.ching@calbar.ca>, "GC@calbar.ca.gov" <GC@calbar.ca.gov>

I write because some of the people at the State Bar are new to Todd's email chains. I have not been associated with Peoples College of Law since August 13 of this year, the effective date of my resignation as dean. But yesterday I replied to an email he sent to most of you, and me. I wrote briefly about Todd's accusation that PCL's former board chair/president, who resigned because of Todd, violated Penal Code 632 because a recording was made of a board meeting held as a Zoom meeting. This is what I wrote yesterday:

Very sad that it has come to this. I hope everyone concerned is bearing in mind this part of Penal Code 632:

"(c) For the purposes of this section, **"confidential communication"** means any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto, **but excludes a communication made** in a public gathering or in any legislative, judicial, executive, or administrative proceeding open to the public, or in any **other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded."**

I was not at the Zoom board meeting in question, but I'm told that before the recording was started, it was announced to all that the meeting was going to be recorded. Also, when a Zoom recording starts, a notification appears on the screen of each participant showing that the meeting is about to be recorded. Given that, I'm wondering why anyone is thinking that this was not a **"circumstance in which the parties to the communication may reasonably expect that the communication may be ... recorded."**

PCL-SER-00261

And today I add this in reply to Todd's latest email that included me, the one this morning, the morning of a board meeting.

As with any corporation. minutes of PCL board meetings are written up. They are distributed to people who did not attend the meetings - for example board members who did not attend, and others. The minutes, of course, include many communications made at the board meeting. Also, PCL is a membership corporation. The members include all students, faculty, officers, employees and many alumni. Some attend board meetings even though they are not board members. Thus, I am also wondering how anyone could be thinking that Section 632 could apply to the board meetings, since the statute requires that the communications at the meetings be **"carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto."**

Ira Spiro, Attorney at Law

310-235-2350 NO TEXTS - phone is a land line

Please Correspond by Email Only

I do NOT promptly see U.S. Mail, Fed Ex, UPS, etc.

Los Angeles, Cal.

ira@spiralawcorp.com

website: spiralawcorp.com

pronouns: he

From: Todd Hill <toddryangregoryhill@gmail.com>

Sent: Sunday, November 21, 2021 8:57 AM

To: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>; "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>; "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>; "Hector C. Peria Ramfrez" <hpena@peoplescollegeoflaw.edu>; "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>; "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>; "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>; "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>; Anna Hawkins <pclhawkins@gmail.com>; CarolJD@pacbell.net; Ira Spiro <ira@spiralawcorp.com>; Joshua Gillins Uosh_g19@yahoo.com <josh_g19@yahoo.com>; Kevin Clinton <kevinclintonpro@gmail.com>; Nancy Popp <npopp@peoplescollegeoflaw.edu>; Prem Sarin <premantonio1@hotmail.com>; dean@peoplescollegeoflaw.edu; hector pena <hectorpena@ucla.edu>

Subject: Fwd: our conversation today

PCL-SER-00262

My apologies; I missed some of the participants in the earlier sending of this email. See below: EXHIBIT 6, pg. 3 of 11

--- Forwarded message -----

From: Todd Hill <toddryangregoryhill@gmail.com>

Date: Sun, Nov 21, 2021 at 12:02 AM

Subject: Fwd: our conversation today

To: Leonard, Natalie <natalie.leonard@calbar.ca.gov>, Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>, Ira Spiro <ira@spirolawcorp.com>, Hector Pena <hectorpena@ucla.edu>, Anna Hawkins <pclhawkins@gmail.com>

CC: <audrey.ching@calbar.ca.gov>, David Bouffard (davidtylerbouffard@hotmail.com) <DavidTylerBouffard@hotmail.com>, Rebecca Hirsch <registrar@peoplescollegeoflaw.edu>, <CarolJD@pacbell.net>, <GC@calbar.ca.gov>

Dean Emeritus Spiro,

This communication is not privileged.

I have included Audrey Ching, whom Natalie Leonard has indicated is her direct supervisor. Ms. Ching's official title is Assistant Director of Admissions.

I have also taken the liberty of including CalBar's General Counsel, Vanessa Holton as well, since my request for ESCALATION to a Supervisor given that it has taken CalBar in excess of ONE HUNDRED AND TEN DAYS (110+) to affirm or deny the status of the school after a unit deviation from the guidelines was discovered.

I reference the email chain *infra* in the hopes that it may aid your recollection of both past events and prior substantive discussions directly covering your question related to criminal culpability for PC 632.

I was surprised by your question, as we had covered it so thoroughly in prior conversations.

Although I do not believe you would be estopped from claiming ignorance of the law, I doubt it would serve as a mitigator to the conduct here, since there is clear communication related to the issues.

Also, it is important to clarify that the Board is currently in violation of a lawfully executed demand for the production of documents. If there is no issue with the recording, I invite those who have access to the video to produce it.

Christina's use of rhetoric and hyperbole clearly lacks any substantive value. I assert that I have represented the facts to the best of my ability in good faith, I CLAIM THE ABSOLUTE DEFENSE OF THE TRUTH in regards to my allegations related to the reckless and very likely criminally culpable conduct of Christina Gonzalez.

In regards to any cease and desist requests from any party where I have made an allegation, I stand behind the integrity of the basis used to make any accusations as all resulted from some aspect of my fiduciary requirements, or at least I reasonably believed them to be.

I will NOT cease NOR will I desist until every lawful and appropriate avenue is pursued to hold any whose conduct did not adequately comport to the requirements of the circumstance(s)!

PCL-SER-00263

Finally, although it should not be necessary, under the circumstances I feel it necessary to remind Licensee of their absolute DUTY OF CANDOR TO THE TRIBUNAL.

Todd

Todd Hill <toddryangregoryhill@gmail.com>

Mon, Nov 22, 2021 at 11:54 AM

To: Ira Spiro <ira@spirolawcorp.com>

Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramfrez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, CarolJD@pacbell.net, "Joshua Gillins Uosh_g19@yahoo.com)" <josh_g19@yahoo.com>, Kevin Clinton <kevinclintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, dean@peoplescollegeoflaw.edu, hector pena <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, GC@calbar.ca.gov, audrey.ching@calbar.ca.gov

Dean Emeritus Spiro,

I did not include CalBar staff re a PC 632 violation, although the simple answer to your inquiry is that the sovereign does not grant persons the right to charge and prosecute acts that carry criminal culpability. A right a person does not have cannot be alienated or waived by civil contract as it is exercised solely under the discretion of the Sovereign through authorized agents. A distinction of note is that the manner of consent for a corporation, a person as an entity, is through vote. Even were it the case that a third-party "adhesion contract" could in fact somehow avoid or constrain criminal liability by notice in the case of a natural person, in the case of an entity, no such claim can be made absent the presence of prior vote.

In addition, Dean Spiro, you actually included the reason why one would reasonably expect the meeting notes and comments to be "confidential"; by definition they were confined to a specific "membership", identified as the "Community". A private conversation between members of the same community, business, or other entity may ostensibly include any number of individuals. It is the privacy of relationship that functions here to establish the expectation of privacy. Public policy would be averse to having things otherwise, as the goal is to avoid "the chilling effect" it may have on honest discourse.

The reason I included staff in the chain was to hopefully accelerate what has now been in EXCESS OF ONE HUNDRED DAYS (100+) for what should have been a simple determination for the institutions (the incorrect award of 2 units for core topic courses instead of the guideline mandated 3), but I now believe is a much graver circumstance in character.

The following issues require resolution:

1. PCLAdministration some time in the last four (4) years knew or should have known that the College was in material and substantial nonconformity to the Guidelines and Rules for Registered Institutions.
2. Members of the Administration either failed to inquire and/or inform both peer Board Members as well as the student body, while actively recruiting both students and members of the Board, and in fact sought to hide the fact of this nonconformity.
3. Members of the Administration entered into enrollment contracts with payment components that the students were to sign. No student to my knowledge was properly informed of, what I now believe is "more likely than not" the long term history of PCL's nonconformance.
4. When a student fell behind in payments, of which I am one, then the student was forced to sign a payment plan that included specific language that, even if the student later discovered the probable facts in this matter, the contract would likely harm not only the student's ability to seek recovery.
5. Nonstandard and "illegal" proprietary unit assignments made it impossible for students to transfer, since after transfer the student would require more time to meet the specific unit requirements for a degree. An example: Where in a degree student might acquire 36 quarter units, for the same hourly "workload" I would only be awarded two units.

PCLSER00264

The result here is that students who have passed the Baby Bar but have not yet discovered the nonconformance are trapped; since student sophistication generally increases over time, the system serves to essentially "trap" the student at the school with no way to readily avail themselves of recourse.

6. PCL's Administration is currently in violation of a lawfully executed demand for the production of documents. This is and of itself is an issue of noncompliance.

It can be difficult not to conflate the civil right of action granted to persons by the Sovereign versus the rights of punitive action, including the right to charge and, if convicted, receive admonishment under the supervision of the Sovereign.

To wit:

Strict compliance is important, but I can understand why facially this may seem like a minor issue; however, it was the unprecedented use of tactics to delay, deflect, deny, and in my opinion defame me that prompted a closer review and my duties to the organization that have moved me to act.

The core of my allegations, focusing just on the conduct and not any potential motives, are as follows:

1. PCL Administration knew or should have known that it had unlawfully deviated from CALBAR's statutorily authorized and enforceable guidelines when it introduced a proprietary quarterly unit, in DIRECT CONFLICT with Section 5.9 of the Rules for Unaccredited Law Schools, "Quantitative Academic Requirements", which explicitly defines credits to be issued in reference to associated hours of study.

The relevant portion of Section 5.9 makes it unequivocally clear that, "One quarter unit is defined as ten (10) hours of classroom instruction."

Here, I reiterate that PCL awards approximately 66% of the required quantity of units. For every 36 units a student in a compliant school would receive, our students receive 2.

2. PCL Administration, most specifically Hector Pena, knew or should have known that, in the case of deviations, pursuant to Section

The issue at hand for the Bar is what I believe to be an obvious DEVIATION FROM THE GUIDELINES THAT IS BARRED BY STATUTE AND CALBAR POLICY.

WHY HAS IT TAKEN THE BAR IN EXCESS OF 115 DAYS TO PROVIDE A CLARIFICATORY RESPONSE GIVEN THE SIMPLICITY OF THE QUESTION?

The issue before the Bar is the question of whether yiu knew or should have known during your tenure as Dean that an assignment for two (2) units per quarter class completed was insufficient.

THE SOVEREIGN HAS SOLE AUTHORITY TO CHARGE AND PROSECUTE ON BEHALF OF THE PEOPLE

GENERALLY, the Sovereign, in its sole authority assigns or declines to issue charges related to issues defined in the penal code and/or other codes and statutes where criminal culpability has been expressly defined.

As one recalls, a core principle of American jurisprudence is the notion that standing to bring criminal action on behalf of the public is exclusively reserved to the Sovereign.

CONSEQUENTLY, A PERSON OR INDIVIDUAL CANNOT WAIVE WHAT IS ONLY THE SOVEREIGNS RIGHT TO MAKE CHARGE.PROSECUTE, AND PUNISH THE CULPABLE

There are likely many reasons for the PC 632 code to allow for the making of civil claims; I cede that in many cases the corequisite circumstances may not rise to the level the Sovereign wishes to expel effort to prosecute even though the law has been violated.

Another way to look at it might be:

THE SOVEREIGN GRANTS, REVOKES, OR NEGATES THE RIGHTS OF A PERSON TO MAKE A CIVIL CLAIM AT ITS OPTION WITHIN THE CONFINES OF THE CONSTITUTION.

PCL-SER-00265

THE SOVEREIGN NEVER GRANTS THE RIGHTS OF A PERSON TO MAKE NOR ENFORCE A CAUSE OF ACTION FOR CRIMINAL CULPABILITY.

CIVIL CLAIM AT ITS OPTION WITHIN THE CONFINES OF THE CONSTITUTION.

HERE THERE IS NO QUESTION OF THE CONDUCT

The shortest answer I can derive is that rights arising out of tort or other standard for civil action are exercisable at the option of the injured or aggrieved party, except in rare cases where standing has been determined by statute or precedent

I will attempt to answer your question here in short and succinct fashion. There are four (4) reasons the question around "consent" is generally considered a question for the judge to ascertain if a decision is to be made by the jury.

As we all recall, a core principal of American jurisprudence is the notion that standing to bring criminal action on behalf of the public is reserved to the Sovereign.

Here, we have an alleged PC 632 violation with the following elements:

1. No third-party, real or entity, can absolve an individual of their Sovereign-assigned

But there is a further principal, one of arguably equal import:

Finally, two hypotheticals to more explicitly illustrate the conduct and its resulting violative effects:

- 1.

Confidentiality Notice

The content of this email is confidential and intended for the recipient specified in the message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

I believe your security is a high priority. Therefore, I have made reasonable effort in ensuring that the message is error and virus-free. Unfortunately, full security of the email cannot be ensured as, despite my efforts, the data included in emails could be infected, intercepted, or corrupted. Therefore, the recipient should check the email for threats with proper software, as the sender does not accept liability for any damage inflicted by viewing or manipulation of the content of this email.

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Aviso de confidencialidad

PCL-SER-00266

ID #:6736

EXHIBIT 6, pg. 7 of 11

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Crea que su seguridad es una alta prioridad. Por lo tanto, he hecho un esfuerzo razonable para asegurarme de que el mensaje no contenga errores ni virus. Desafortunadamente, no se puede garantizar la seguridad total del correo electrónico ya que, a pesar de mis esfuerzos, los datos incluidos en los correos electrónicos podrían estar infectados, interceptados o dañados. Por lo tanto, el destinatario debe verificar el correo electrónico en busca de amenazas con el software adecuado, ya que el remitente no acepta responsabilidad por cualquier dano infligido al ver o manipular el contenido de este correo electrónico.

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필요한 경우가 아니면이 이메일을 인쇄하지 마십시오. 인쇄되지 않은 모든 이메일은 환경에 도움이됩니다.

[Quoted text hidden]

Ira Spiro <ira@spirlawcorp.com>

Mon, Nov 22, 2021 at 5:43 PM

To: Todd Hill <toddryangregoryhill@gmail.com>

Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramfrez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, "CarolJD@pacbell.net" <CarolJD@pacbell.net>, "Joshua Gillins Uosh_g19@yahoo.com)" <josh_g19@yahoo.com>, Kevin Clinton <kevinclintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, "dean@peoplescollegeoflaw.edu" <dean@peoplescollegeoflaw.edu>, hector pena <hectorpena@peoplescollegeoflaw.edu>

PCL-SER-00267

Case 2:23-cv-01298-JLS-BFM Document 149 Filed 08/21/24 Page 158 of 188 Page 7/12/24, 12:54 PM
ID #: 6737
(Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, "GC@calbar.ca.gov" <GC@calbar.ca.gov>, "audrey.ching@calbar.ca.gov" <audrey.ching@calbar.ca.gov>
EXHIBIT 6 pg. 8 of 11

What? It's very hard to figure out what your trying to say, Todd, especially in that fust paragraph.

But please understand that expectation of privacy is not the only requirement for violation of PC 632- that's plain from the words of the statute, which in my view show there was no violation.

Also, if you will look at the email chain you sent to State Bar staff and many others, you will see that you did include your PC 632 accusation and your other accusations of criminal activity.

In this reply I am deleting your email to me, below your second paragraph, and deleting the rest of that long email chain, because you've written those things before and because I believe I should not cause an email reiteration of your accusations.

Ira Spiro

From: Todd Hill <toddryangregoryhill@gmail.com>
Sent: Monday, November 22, 2021 11:54 AM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: David Bouffard (davidtylerbouffard@hotmail.com) <DavidTylerBouffard@hotmail.com>; Gary Silbiger (gsilbiger1@gmail.com) <gsilbiger1@gmail.com>; Gary Silbiger (gsilbiger@juno.com) <gsilbiger@juno.com>; Hector C. Pena Ramfrez <hpena@peoplescollegeoflaw.edu>; Jessica Viramontes (chuyita.viramontes@gmail.com) <chuyita.viramontes@gmail.com>; Pascual Torres (pascualt0@yahoo.com) <pascualt0@yahoo.com>; Scott Bell (scottbell772@gmail.com) <scottbell772@gmail.com>; president@peoplescollegeoflaw.edu. <president@peoplescollegeoflaw.edu>; Anna Hawkins <pclhawkins@gmail.com>; CarolJD@pacbell.net; Joshua Gillins Oosh_g19@yahoo.com) <josh_g19@yahoo.com>; Kevin Clinton <kevinclintonpro@gmail.com>; Nancy Popp <nppopp@peoplescollegeoflaw.edu>; Prem Sarin <premantonio1@hotmail.com>; dean@peoplescollegeoflaw.edu; hector pena <hectorpena@ucla.edu>; Natalie Leonard (Natalie.Leonard@calbar.ca.gov) <Natalie.Leonard@calbar.ca.gov>; GC@calbar.ca.gov; audrey.ching@calbar.ca.gov
Subject: Re: Todd Hill's email chains

Dean Emeritus Spiro,

I did not include CalBar staff re a PC 632 violation, although the simple answer to your inquiry is that the sovereign does not grant persons the right to charge and prosecute acts that carry criminal culpability. A right a person does not have cannot be alienated or waived by civil contract as it is exercised solely under the discretion of the Sovereign through authorized agents. A distinction of note is that the manner of consent for a corporation, a person as an entity, is through vote. Even were it the case that a third-party "adhesion contract" could in fact somehow avoid or constrain criminal liability by notice in the case of a natural person, in the case of an entity, no such claim can be made absent the presence of prior vote.

In addition, Dean Spiro, you actually included the reason why one would reasonably expect the meeting notes and comments to be "confidential"; by definition they were confined to a specific "membership", identified as the "Community". A private conversation between members of the same community, business, or other entity may reasonably include a number of individuals. It is the privity of relationship that functions here to establish the expectation of privacy. Public
PCLSER-00268

policy would be averse to having things otherwise, as the goal is to avoid "the chilling effect" it may have on honest discourse.

[REST OF NOVEMBER 22 EMAIL FROM MR. HILL AND REST OF EMAIL CHAIN DELETED BY Ira Spiro]

Todd Hill <toddryangregoryhill@gmail.com> Mon, Nov 22, 2021 at 6:10 PM
To: Ira Spiro <ira@spirolawcorp.com>
Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramirez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualt0@yahoo.com)" <pascualt0@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, CarolJD@pacbell.net, "Joshua Gillins Uosh_g19@yahoo.com)" <josh_g19@yahoo.com>, Kevin Clinton <kevinclintonpro@gmail.com>, Nancy Popp <nppopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, dean@peoplescollegeoflaw.edu, hector pena <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, GC@calbar.ca.gov, audrey.ching@calbar.ca.gov

Ira,

The matter for the bar were the points I reiterated related to the institutions noncompliance.

Please understand that I did not understand the entire scheme until Friday and my call with Natalie Leonard.

As for the clarity of my statement that basically gives the reason I cannot go down and slap cuffs on those I allege have participated in criminal activity. Vigilantism would make for terrible social policy.

I reiterate my prior suggestions that you seek counsel.

Todd

Clearly, as a lawyer, you do understand that the recording made without consent with the expectation of privacy is generally sufficient
[Quoted text hidden]

Ira Spiro <ira@spirolawcorp.com> Mon, Nov 22, 2021 at 7:18 PM
To: Todd Hill <toddryangregoryhill@gmail.com>

Oh. But I still don't understand why you think it's worth explaining why you aren't going down and slapping cuffs on people.

Ira

[Quoted text hidden]

Todd Hill <toddryangregoryhill@gmail.com> Mon, Nov 22, 2021 at 7:30 PM
To: Ira Spiro <ira@spirolawcorp.com>

Ira,

I really wish I could help you, but the realities here are pretty straightforward.

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Creo que su seguridad es una alto prioridad. Por lo tanto, he hecho un esfuerzo razonable para asegurarme de que el mensaje no contenga errores ni virus. Desafortunadamente, no se puede garantizar la seguridad total del correo electr6nico ya que, a pesar de mis esfuerzos, Los datos incluidos en Los correos electr6nicos podrian estar infectados, interceptados o danados. Por lo tanto, el destinatario debe verificar el correo electr6nico en busca de amenazas con el software adecuado, ya que el remitente no acepta responsabilidad por cualquier dano infligido al ver o manipular el contenido de este correo electr6nico.

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필요한 경우가 아니면이 이메일을 인쇄하지 마십시오. 인쇄되지 않은 모든 이메일은 환경에 도움이됩니다.

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EXHIBIT 7

ELECTION COMMITTEE REPORT

November 20th, 2021

Committee Formation

August 12, 2021- Brian Godfrey texts Scott Bell with a request that Bell serve on the 2021 Election Committee (EC).

August 15, 2021- Bell attends the PCL Board Meeting to determine the timeframe of the 2021 Election and other members of the EC; Nancy Popp, Hector Sanchez and Pascual Torres are the names given to Bell.

August 17, 2021- Bell emails Popp, Sanchez and Torres to form the committee, stating that under PCL Bylaws at least three members are needed and there must be an odd number of members. Popp responds via email on 8/18/21 affirming her participation as a voting member of the EC. Sanchez and Torres respond on 8/21/21 requesting a meeting to discuss. A meeting is scheduled for 9/3/21; all four agree to attend.

September 3, 2021- Bell and Popp meet as scheduled; Sanchez and Torres do not attend. Popp and Bell lay out an election timeline for nominations/statement submission/voting. Bell agrees to update the Notice of Election, send it by email and create a ballot. Popp takes notes and send them by email to all four parties.

September 4, 2021- Sanchez emails apologizing for missing the 9/3/21 meeting. Torres does not respond.

Election Preparation/Execution

September 11, 2021- Bell emails an updated Notice of Election to all four parties for review. Torres replies with edits the same day; Sanchez and Popp respond the following day, 9/12/2021.

September 12, 2021- Bell emails the Election Notice to the PCL Community from a list given to him by Magda Madrigal for the 2020 election.

September 14-15, 2021- Bell is notified by Brian Godfrey that current 1L's did not receive the Election Notice. He is provided a list of current 1L contact info by Hector Peña.

September 21, 2021- Bell emails the Election Notice to the current PCL 1L class per Peña's request after receiving their emails from Peña. This decision was not brought to the EC.

September 26, 2021- Bell emails Popp, Sanchez and Torres a list of PCL Board Candidate nominees.

September 28, 2021- Interim Dean Juan Flores requests an extension for Board Nominations/Statements from the 1L class, followed by a request from 1L Juan Flores.

Source: https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg

PCL-SER-00273

September 29, 2021- Bell emails Popp, Sanchez and Torres the request for extension of nominations. All three respond via email the same day confirming the extension of nominations and submission of candidate statements from 9/26/21 until 10/3/2021.

September 30, 2021- Bell sends an email to all nominees affected by the delayed notice with a deadline for Statements of 10/3/2021 at 6pm PST, stating that due to the 3.5 day turnaround, there will be leeway granted for late submissions.

October 4, 2021- Bell receives an email from Todd Hill the morning after the deadline asking if he can still send a candidate statement. Bell forwards this email to the committee asking if anyone objects. Later that same day, Bell receives a self-nomination and candidate statement from Hill.

October 5, 2021- Bell, Popp and Sanchez vote by email to accept the late submission from Hill, fulfilling the three-member vote for the EC. Torres objects.

October 8, 2021- Bell sends the PCL Board Election ballot out via email; voting ends 10/15/2021.

October 15, 2021- Bell emails PCL Election results to the Community.

Post-Election Conflict

October 16, 2021- Bell receives an email from Hector Peña stating that he spoke to Sanchez and Torres about the legitimacy of Todd Hill's nomination, asking Bell about the date of Hill's nomination. Bell responded in detail with dates of Hill's nomination/statement email, CC'ing Popp, Hill, Sanchez, and Torres. Peña requests to bring the matter before the PCL Board at the next day's meeting. Hill responds stating there is a Conflict of Interest at stake in the inquiry and that he self-nominated when submitting his statement. There is a conflictual email exchange between Peña, Torres, Bell and Hill.

October 17, 2021- Bell requests an 'Emergency' Meeting of the EC via email to Popp, Sanchez, Torres around 9:10am. Sanchez, Torres and Bell meet at 10:51 am without awaiting a response from Popp, and three vote to disqualify Hill's nomination and statement as 'untimely' and reverse his election from the PCL Board. Bell attends part of the PCL Board Meeting that day to report the EC's 'decision'. Popp contacts Bell via text/phone around 1pm, explaining she was away from phone/computer due to a regular Sunday personal commitment. Popp asks why the meeting occurred without her as a voting member, and states that according to common courtesy (and PCL Bylaws) there was no need for an Emergency Meeting.

Popp emails Bell, Sanchez and Torres at 3:31pm stating that the meeting/vote was improper, given she was not allowed to participate as a voting member of the EC, and requesting the meeting be rescheduled.

Bell emails Popp, Sanchez and Torres at 4:51pm stating the PCL Board requests a report from the EC Committee about their decisions; all agree to contribute to the report. Bell also seeks an extension of Formal Complaints or Appeals regarding the election to 10/27/21. Popp, Sanchez and Torres agree to the extension.

October 28, 2021- Bell submits an initial draft of the EC Report via email to Popp, Sanchez, and Torres.

Source: [https://peoplescollegeoflaw0-](https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkJApICwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg)

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PCL-SER-00274

Popp responds with concerns that the report does not address the status of Torres on the EC and whether he was actual voting member, given the EC was limited to 3 or 5 members per PCL's Bylaws. Popp also states that Peña's inquiry was not a Formal Complaint that would allow the EC to vote on whether or not to change the election results. Torres objects, while Bell agrees with Popp about the 10/17/21 meeting's status.

October 30, 2021- Discussions continue over email between Bell, Popp, Sanchez and Torres on how to report the EC's actions to the PCL Board. Popp and Bell note multiple violations of the PCL Bylaws in the election's planning and execution, and Bell suggests deeming the election invalid and holding another election.

November 16, 2021- Email discussions continue over email between Bell, Popp, and Torres with little input from Sanchez after a pause for Bell to sit for the MPRE. Revisions to Bell's draft report are submitted by Popp but not included by Bell in their entirety.

The sections of the PCL Bylaws in question are:

SECTION 9.2 - ELECTIONS TO THE PCL BOARD

9.2.a "Open nominations will be held throughout the month of October."

9.2.e "Elections are held no later than the last day of November."

9.6.a "The Community Board will appoint an Election Committee to supervise any regular or special election...it must have no less than 3 members or an odd number of members."

SECTION 9.8 - ELECTION PROTESTS or APPEALS

9.8.a "Any affected member may protest...the eligibility of a candidate...shall be made by complaint in writing to the respective Election Committee...prior to, during or within 10 days of the election."

9.8.b "The committee shall consider/investigate the complaint and attempt to resolve the protest or come to a decision within 10 days after receipt of the complaint."

9.8.c "All appeals must set forth the exact nature and specifications of the complaint and how the alleged infractions affected the outcome of the election."

9.8.d "All elected board members and officers shall resume their duties and responsibilities after their respective election regardless of whether the election has been protested. They will remain in their respective office under their terms expire or until newly elected Board Members are elected as a result of an ordered rerun election or a decision on complaint or appeal by the Election Committee or Community Board."

Since there is a difference of opinion amongst Bell, Popp, Sanchez, and Torres on how these Bylaws apply to the actions taken by the EC, there is not a version of an EC report that can be submitted with the participating parties in agreement. The discussions have been heated at times and questions remain whether Torres was in fact an official voting member of the EC, whether there was a Complaint submitted by Hector Peña, the validity of the October 17th EC meeting held on short notice without all EC members in attendance when there was no emergency deadline to do so, and if the EC's actions to change an election result that removed an elected Board Member were unsanctioned by or in violation of PCL's Bylaws.

Signed,

Source: https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJApICwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg

PCL-SER-00275

Nancy Popp, 2L
npopp@peoplescollegeoflaw.edu

Source: https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rtime=bAHpoRAU2kg

PCL-SER-00276



Todd Hill <toddryangregoryhill@gmail.com>

Fw: Appeals process

1 message

Nancy Popp <npopp@peoplescollegeoflaw.edu>
To: Todd Hill <toddryangregoryhill@gmail.com>

Sat, Nov 20, 2021 at 12:53 PM

FYI

--

Nancy Popp
People's College of Law, 2L ('24)

From: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Sent: Saturday, November 20, 2021 12:51 PM
To: Scott Bell <scottbell772@gmail.com>; P Torres <pascualt0@yahoo.com>
Cc: hector sanchez <hsan213@yahoo.com>
Subject: Re: Appeals process

I have written a simplified timeline of the actions of the EC around the 2021 Election; it is attached as a Word doc and here is a link to the timeline in OneDrive.

I hope this will be a simpler way to describe the facts and the violations to the PCL Bylaws that have occurred. I would want this report submitted alongside whatever you submit to the PCL Board, Scott.

The Bylaws are there when disagreement arises; as any Contract does, the Bylaws point a way forward on agreed-to standards of action when disagreements arise between parties. Let the Bylaws be our guide, that is what they are there for.

--

Nancy Popp
People's College of Law, 2L ('24)

From: Scott Bell <scottbell772@gmail.com>
Sent: Saturday, November 20, 2021 9:28 AM
To: P Torres <pascualt0@yahoo.com>
Cc: Nancy Popp <npopp@peoplescollegeoflaw.edu>; hector sanchez <hsan213@yahoo.com>
Subject: Re: Appeals process

And, I'd like to add, the idea of submitting a majority vote report sits particularly uncomfortably with me if the vote is 3-1 with Nancy as the vote against, because her voice was excluded in the decision to reject Todd's nomination. I'd really like to find a way to include it in the report.

On Sat, Nov 20, 2021 at 9:19 AM Scott Bell <scottbell772@gmail.com> wrote:

I suppose we can do a majority vote report, but my goal throughout is to come up with something all 4 of us could agree to, but as I said elsewhere, that may not be possible.

On Sat, Nov 20, 2021 at 7:01 AM <pascualt0@yahoo.com> wrote:

Yes, but I'll prefer we vote on the report that was almost complete and submit the report and vote.

Pascual

On Friday, November 19, 2021, 12:50:53 PM PST, Scott Bell <scottbell772@gmail.com> wrote:

Would everyone be willing to agree to a very short statement rather than a full report; something like.

PCL-SER-00277

"After the election to People's College of Law occurred, an alleged issue regarding the timeliness of Todd Hill's nomination was raised informally by non-committee member, Hector Pena, via email. On October 17, 2021, a meeting of the Election's Committee was held to conduct a vote on the alleged issue. Scott Bell, Pascual Torres, and Hector Sanchez voted unanimously to reject Todd's nomination as untimely. Committee member, Nancy Popp was not present at the meeting due to it being put together in less than two hours and therefore never receiving notice. Ms. Popp believes that the meeting was invalid and should have no effect for failure to follow any process described in the People's College of Law bylaws. Specifically, the "Election Protest and Appeals" process described in Section 9.8 of the bylaws was not followed and any vote that changed a result of the election can only be valid if it followed this process. Ms. Popp also believes that Pascual was a non-voting member of the committee and that Pascual voted in her stead on October 17. A variety of opinions are held by the individual members of this committee on these issues and, as a unit, we cannot and will not offer an opinion. However, to determine the current membership of PCL's a decision of these matters will have to be made. The individual members of the committee are available to answer questions should they arise."

On Thu, Nov 18, 2021 at 10:02 PM Scott Bell <scottbell772@gmail.com> wrote:

Re: This is your interpretation - 100% and I don't propose we include it in the report. We should be saying what actions were taken and occurred as a result. Whether an election was rescinded or a decision was retroactively applied doesn't need to be weighed in on. It can just be "On [date], the committee held a vote on [issue]. [present members] were present. The result of that vote was [result]"

Re: Interpretation is discussing the difference 'between "not sanctioned by" and "in violation of." - I disagree. These things have concrete definitions. If we do something the bylaws say we can't we're "in violation of". If we do something the bylaws doesn't say we can we're "not sanctioned by"

Re: The fact is I was not informed of the Oct 17th meeting in time to attend nor was I allowed to vote. - The draft report states these facts.

I'm starting to believe that the only solution is to tell the board that due to disagreements within the committee no report is possible to be produced.

On Thu, Nov 18, 2021 at 9:39 PM Nancy Popp <npopp@peoplescollegeoflaw.edu> wrote:

See below.

Nancy Popp
People's College of Law, 2L ('24)

From: Scott Bell <scottbell772@gmail.com>
Sent: Thursday, November 18, 2021 9:14 PM
To: Nancy Popp <npopp@peoplescollegeoflaw.edu>
Cc: P Torres <pascualt0@yahoo.com>; hector sanchez <hsan213@yahoo.com>
Subject: Re: Appeals process

Thanks. I still don't think we can call these facts.

First, referring to what occurred as "rescinding Todd's election" is, I think, an inaccurate description of what happened. But it's definitely an interpretation of what happened, not a fact. In effect, it resulted in an election result being changed, but it was a ruling on an issue that should have been ruled on prior to the election and retroactively applying it.

This is your interpretation; the fact is Todd was nominated, elected, and his election was rescinded. The Committee did rule on the issue of Todd's nomination/statement via email prior to October 8th. Todd's email stated he was self-nominating. These are the facts.

Second, there's a difference between "not sanctioned by" and "in violation of." It's possible that, either way, the meeting was invalid. I'm willing to put in the report that the meeting of 10/17 was "not sanctioned by" the bylaws as a fact, because that's undeniably true. Nothing in the bylaws gave us the right to hold that meeting, but I don't see that it is forbidden either. I'm not willing to say it was in violation of the bylaws or to say that the meeting was invalid or had no effect as facts. Those statements are conclusions that can only be reached by interpreting the facts in a certain manner. I don't think it's an unreasonable interpretation, but I know we aren't unified in that interpretation. So, it can't be included as a fact, because it's a conclusion. It can't be included as a conclusion, because it's not agreed between us.

The 10/17 meeting was essentially held without cause because there was no formal complaint or challenge to the election which would predicate a calling of such a meeting- this is a fact. Yet the EC met on two hours without a viable member and made a decision that overturned an election result- this is also a fact. These are facts, not interpretations. Interpretation is discussing the difference between "not sanctioned by" and "in violation of."

Third, pretty much the same argument as #2. Saying that one of the members needed to have been a non-voting member is perhaps a correct interpretation of the bylaws, but it's an interpretation. Personally, I think it's more dire than that. The bylaws don't sanction an even numbered committee provided only an odd number are voting members. So, even if there had been a non-voting member, the committee would be out of compliance. However, further, I believe it's counterfactual. Regardless of what was allowed by the bylaws, no one ever agreed to be a non-voting member. Other than a suggestion that someone be a non-voting member that wasn't responded to, the subject was never brought up. I never assumed that any member was a non voting member when holding votes. Having a four member committee was almost certainly a violation of the bylaws, but that doesn't mean we can retroactively pretend that someone was considered a non-voting member to feign compliance. To get abstract about it, we are each equally the extra member; we can't choose one based on a specific order of responses in an email chain and determine "so, that's the one that doesn't count." Scott, we had this discussion in writing via email at the formation of the committee on August 7th. The fact that the committee was limited to 3 persons was laid out. The fact is that I responded confirming I was a voting member of the committee. The fact is I was not informed of the Oct 17th meeting in time to attend nor was I allowed to vote. These are facts. Rotating votes between members of a committee whose size is not in compliance with PCL's Bylaws means that committee's votes/decisions are out of compliance with the Bylaws. That is a fact.

I know you feel strongly that these must be included. I'm happy to, concurrently with the submission of this report, also submit a document that would be named something like "Additional Statement of Nancy Popp." or if we really can't get to something you're willing to sign off on, we can, rather than a unified report, do a "Statement of Scott Bell, Pascual Torres, and Hector Sanchez" and "Statement of Nancy Popp."

I'm sorry that we seem to be at odds here regarding the clear facts of what occurred. I prefer to describe what happened in simple and clear terms. Otherwise, it looks like we are hiding something or trying to cover our asses, or pandering to others who want a certain result.

To be honest, I feel this issue is being beaten to death. It seems there is a fear of simply describing what occurred.

On Thu, Nov 18, 2021 at 8:27 PM Nancy Popp <npopp@peoplescollegeoflaw.edu> wrote:
Per your request, Scott:

PCL Bylaws 5/22/2017

SECTION 9.2

"Open nominations will be held throughout the month of October."

Since the Bylaws state that nominations can be accepted throughout the month of October, this is an indication that Todd's self-nomination on October 4th would be acceptable.

9.2.e "Elections are held no later than the last day of November."

The 2021 Election was held October 8th- 15th. In other words, there was no rush and extensions were allowable under the Bylaws.

9.6a "The Community Board will appoint an Election Committee to supervise any regular or special election...it must have an odd number of members."

Scott, you argue we had four members on the EC- yourself, Hector, me and Pascual. There should only be 3 or an odd number. Therefore, one member would not be officially part of the committee, or at minimum, a non-voting member. Since both Scott and myself voiced our active participation, that would mean either Hector or Pascual would be the unofficial or non-voting member.

9.8 Election Protests or Appeals

PCL-SER-00279

9.8.a. "Any affected member may protest...the eligibility of a candidate...shall be made by complaint in writing to the respective Election Committee...prior to, during or within 10 days of the election."

9.8.b "The committee shall consider/investigate the complaint and attempt to resolve the protest or come to a decision within 10 days after receipt of the complaint."

9.8.c. "All appeals must set forth the exact nature and specifications of the complaint and how the alleged infractions affected the outcome of the election."

No such complaint in writing was received, only an email inquiring to the timing of existence of Todd's nomination after the fact. Since there was no formal complaint that laid out the exact nature and specifications of an infraction, the Election Committee overstepped in reversing an earlier decision to accept Todd's nomination/statement. The October 17th meeting was not an 'emergency' meeting as no formal complaint was filed; even if there was a formal complaint, the Committee had 10 days to meet to discuss.

9.8.d "All elected board members and officers shall resume their duties and responsibilities after their respective election regardless of whether the election has been protested. They will remain in their respective office under their terms expire or until newly elected Board Members are elected as a result of an ordered rerun election or a decision on complaint or appeal by the Election Committee or Community Board."

Todd is allowed to continue on the Board for the duration of his term. Since there has been no formal complaint or appeal by either Hector or Todd, only an email inquiry by Hector, the election has not been formally challenged.

--

Nancy Popp

People's College of Law, 2L ('24)



Election Committee Report_POPP v3.docx
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EXHIBIT 8

Exhibit 8: Timeline of Events and Party Interactions in *Hill v. Board of Directors et al.*

Timeline and Narrative of Events:

Fall 2019

- **Todd Hill Enrollment:** Todd Hill enrolls at Peoples College of Law (PCL).

June 2020

- **FYLSX Examination:** Hill passes the First-Year Law Students' Examination (FYLSX) but receives transcripts with errors.
- **Certification Delay:** PCL fails to submit Hill's FYLSX certification and transcript to the State Bar by the deadline.
- **State Bar Letter:** The State Bar sends a letter to PCL regarding Hill's FYLSX certification, highlighting the missing documents and the importance of timely submission.

May 2021

- **Email Exchange on Tuition:** Kevin Clinton, a PCL student, emails the Executive Committee about tuition payment and the committee's authority.
- **Response from Gonzalez:** Christina Gonzalez, President of PCL, responds, defending the Executive Committee's actions.
- **Clarification from Spiro:** Ira Spiro, Dean of PCL, clarifies PCL's policy on tuition payment and suggests changes to the student handbook.

June 2021

- **State Bar Inspection:** The State Bar conducts a periodic inspection of PCL and identifies several areas of non-compliance.
- **June 15, 2021**
 - **Nancy Popp Grievance:** Nancy Popp, a 1L student at PCL, submits a formal grievance to the PCL Board of Directors. Her complaint highlights issues such as inaccurate grading, lack of transparency in governance, and inconsistent instruction, emphasizing failures to comply with the California State Bar's Guidelines for Unaccredited Law Schools.
- **June 18, 2021**
 - **CBE Review of PCL's Progress Report:** The Committee of Bar Examiners (CBE) reviews a progress report from PCL documenting significant progress in addressing recommendations from a January 2020 inspection but notes remaining issues, including the need to purchase a hard-copy library and implement a faculty evaluation policy.

July 14, 2021

- **Ira Spiro's Resignation:** Ira Spiro resigns as Dean of PCL, effective August 13, 2021, expressing uncertainty about his resignation from the Executive Committee.
- **Todd Hill's Inquiry to State Bar:** Todd Hill emails Natalie Leonard at the State Bar, inquiring about the requirements for the new Dean position. Leonard responds that a J.D. degree is not mandatory but emphasizes the importance of meeting all requirements due to the Dean's responsibilities.

August 2, 2021

- **State Bar Instructions on Transcript Changes:** Ira Spiro informs the PCL Board that the State Bar instructed him not to change the unit allocations in any transcripts as it would be a retroactive change, not permitted without approval from the Committee of Bar Examiners.

August 3, 2021

- **Spiro's Email to Leonard:** Spiro confirms his conversation with Natalie Leonard regarding the unit issue. Leonard advises against sending a communication explaining PCL's designation of quarter courses as 2 units instead of 3.
- **Hill's Email to Leonard:** Todd Hill requests clarification on several issues, including the calculation of units for quarter courses and the process for petitioning for guideline deviations.
- **Spiro's Warning to Hill:** Spiro emails Hill, stating that Hill's communication with the State Bar was not an official PCL communication and advises Hill to refrain from such communications without board authorization.

August 5, 2021

- **Hill's Follow-Up Email:** Todd Hill clarifies that his previous communication was an official one from a PCL Board Member and requests information about research fees and the possibility of obtaining the requested information through a Public Records Act request.

- **Pena's Request:** Hector Pena asks to be removed from future correspondence between Hill and Leonard.

August 15, 2021

- **Appointment of Interim Dean:** The PCL Board of Directors votes to appoint Juan Manuel Sariñana as Interim Dean.

August 17, 2021

- **Announcement of Interim Dean:** Christina Gonzalez, Chair/President of PCL, announces the appointment of Juan Manuel Sariñana as Interim Dean and provides information about the 2021-2022 academic calendar, course schedule, and a flowchart explaining the First-Year Law Students' Exam (FYLSX).

August 12, 2021

- **Committee Formation:** Brian Godfrey texts Scott Bell requesting Bell serve on the 2021 Election Committee (EC).

August 15, 2021

- **EC Members Named:** Bell attends the PCL Board Meeting and is given the names Nancy Popp, Hector Sanchez, and Pascual Torres as members of the EC.

August 17, 2021

- **EC Formation Email:** Bell emails Popp, Sanchez, and Torres to form the committee, stating the need for at least three members and an odd number. Popp confirms participation on August 18, 2021. Sanchez and Torres request a meeting on August 21, 2021, which is scheduled for September 3, 2021.

September 3, 2021

- **Initial EC Meeting:** Bell and Popp meet as scheduled; Sanchez and Torres do not attend. Bell and Popp lay out an election timeline, and Bell agrees to update the Notice of Election, send it by email, and create a ballot. Popp takes notes and emails them to all parties.

September 4, 2021

- **Apology for Missed Meeting:** Sanchez emails apologizing for missing the September 3 meeting. Torres does not respond.

September 11, 2021

- **Updated Notice of Election:** Bell emails the updated Notice of Election to all parties for review. Torres replies with edits the same day; Sanchez and Popp respond the following day.

September 12, 2021

- **Election Notice Sent:** Bell emails the Election Notice to the PCL Community from a list provided by Magda Madrigal.

September 14-15, 2021

- **Notification of Missing 1L Emails:** Bell is informed by Brian Godfrey that current 1Ls did not receive the Election Notice. Hector Peña provides a list of current 1L contact information.

September 21, 2021

- **Election Notice to 1Ls:** Bell emails the Election Notice to the current PCL 1L class per Peña's request.

September 26, 2021

- **Candidate Nominees List:** Bell emails Popp, Sanchez, and Torres a list of PCL Board Candidate nominees.

September 28, 2021

- **Extension Request:** Interim Dean Juan Flores requests an extension for Board Nominations/Statements from the 1L class, followed by a request from 1L Juan Flores.

September 29, 2021

- **Extension Confirmation:** Bell emails Popp, Sanchez, and Torres the extension request. All three confirm the extension from September 26 to October 3, 2021.

September 30, 2021

- **Extension Notification:** Bell emails all affected nominees, granting a deadline extension for Statements to October 3, 2021, at 6 pm PST.

October 4, 2021

- **Late Submission from Hill:** Bell receives an email from Todd Hill asking if he can still send a candidate statement. Bell forwards the email to the committee for objection. Hill sends a self-nomination and candidate statement later that day.

October 5, 2021

- **Acceptance of Late Submission:** Bell, Popp, and Sanchez vote to accept Hill's late submission. Torres objects.

October 8, 2021

- **Ballots Sent:** Bell sends the PCL Board Election ballot via email; voting ends October 15, 2021.

October 15, 2021

- **Election Results:** Bell emails PCL Election results to the Community.

October 16, 2021

- **Legitimacy Questioned:** Bell receives an email from Hector Peña questioning the legitimacy of Hill's nomination. Bell responds with dates of Hill's nomination/statement email, CC'ing Popp, Hill, Sanchez, and Torres. Peña requests to bring the matter before

the PCL Board. Hill responds, citing a conflict of interest. A conflictual email exchange follows.

October 17, 2021

- **Emergency EC Meeting:** Bell requests an 'Emergency' Meeting of the EC via email to Popp, Sanchez, Torres. Sanchez, Torres, and Bell meet and vote to disqualify Hill's nomination and statement as 'untimely'. Bell attends part of the PCL Board Meeting to report the EC's decision. Popp contacts Bell, questioning the meeting's legitimacy and requests rescheduling.

October 28, 2021

- **Draft EC Report:** Bell submits an initial draft of the EC Report. Popp raises concerns about the report's content, the status of Torres as a voting member, and Peña's inquiry as a Formal Complaint.

October 30, 2021

- **Report Discussions:** Email discussions continue between Bell, Popp, Sanchez, and Torres on how to report the EC's actions. Bell suggests deeming the election invalid and holding another election.

November 16, 2021

- **Continued Discussions:** Email discussions continue over the report's content, with revisions from Popp not fully included by Bell.

November 20, 2021

- **Election Committee Report:** The final EC report is submitted, signed by Nancy Popp. The report highlights the disagreements on the EC's actions, the validity of the October 17 meeting, and the potential violations of PCL

November 2021:

- PCL Board meeting is held without Hill's participation, and new board members are elected.
- Hill receives an email from Kevin Clinton with newly proposed "retroactive rules" that discourage complaining to the State Bar.
- Hill sends an email to Spiro, Ching, and the Office of General Counsel (OGC) at the State Bar, alerting them to the perceived problems with the new policy.
- Hill issues a request for the removal of Gonzalez's derogatory letter and a non-spoliation notice to PCL.
- Hill sends an email to multiple parties, including State Bar staff and PCL administrators, discussing the ongoing issues and the school's non-compliance.
- Spiro responds to Hill's email, questioning his allegations and defending PCL's actions.
- Hill reiterates his concerns about PCL's non-compliance and the State Bar's inaction.
- Hill sends a final demand letter to PCL's President and Treasurer, requesting access to documents and alleging a breach of fiduciary duty.

December 2021:

- Ching, acting in her official capacity, informs Hill that the State Bar cannot intervene in his dispute with PCL due to their non-interference policy.

January 2022:

- Hill makes a tuition payment, but Populi, PCL's student information system, still reflects incorrect information.
- Hill requests an accounting, validation notice, and assurances from PCL, but his request goes unanswered.

April 2022:

- Hill emails Spiro about alleged overcharges and requests clarification.
- Spiro appears in court on behalf of himself and Pena, but not the corporate entity in a TRO case filed by Hill. The case is dismissed without prejudice. Spiro requests attorney's fees and fees are awarded.

June 2022:

- Spiro sends a letter to the State Bar claiming that PCL is "more than 90% in compliance" with the mandatory recommendations in the inspection report.
- The State Bar acknowledges in a published letter that they were aware of PCL's non-compliance since 2020.
- Spiro sends an email to all PCL defendants, excluding Gonzalez, requesting that Hill direct all communications related to the matter to him.

- PCL, through Spiro, sends notice to Hill of their intent not to provide classes or curriculum for his 4L year.

July 2022:

- The State Bar issues a Notice of Noncompliance to PCL, citing 18 areas of non-compliance with its rules and guidelines.
- Hill requests PCL to apply for a "Special Circumstance Exemption" under GULSR Section 5.6, allowing a maximum of 10% of 4L students to be exempted for "unusual circumstances."
- Hill receives a coverage denial letter from ANV, PCL's insurance provider, for his claims against the school.

August 2022:

- Hill requests PCL to apply for a "Special Circumstance Exemption" to allow for grant of his degree.
- Hill receives a coverage denial letter from ANV, PCL's insurance provider, for his claims against the school.
- The State Bar denies Hill's request for exemption, stating that he needs to complete an additional year of study at a recognized law school.

September 2022:

- PCL sends Hill a new student handbook and a solicitation for a tuition payment agreement for his 4L year.

EXHIBIT 8 – pg. 12 of 17

- Spiro and Leonard suggest that Hill change the status of past courses from credit to audit, which Hill believes is a violation of State Bar guidelines.
- Hill submits a request for an antitrust determination to the State Bar.
- PCL submits Hill's transcript to the State Bar for evaluation.

November 2022:

- Hill participates in a State Bar Audit Committee meeting and a Board of Trustees meeting, raising concerns about PCL's non-compliance and the State Bar's policies.

December 2022:

- Hill sends an email to multiple parties at the State Bar, including a request for antitrust determination and supporting documents.
- The Committee of Bar Examiners places PCL on probation and orders the school to provide monthly progress reports.
- Hill files a Government Claims Act Form. He never receives a response.

January 2023:

- The State Bar sends Hill an unsigned antitrust determination.
- Hill participates in a recorded "Ad Hoc Committee Meeting" with State Bar officials to discuss his concerns.

February 2023:

- Hill sends a notice of ongoing violations of California Business and Professions Code sections 17200 and 17500 to State Bar officials.

- The State Bar sends a second non-compliant response to Hill's antitrust determination request.
- State Bar staff meet with PCL to discuss compliance issues, but PCL fails to provide all requested information.

March 2023:

- PCL sends a response to outstanding CBE questions, admitting non-compliance with Rule 4.241 and promising to issue refunds to affected students.
- The State Bar releases a probationary progress report on PCL.
- The Committee of Bar Examiners receives and files PCL's progress reports but finds them incomplete and directs the school to take further action.

April 2023:

- The Committee of Bar Examiners reviews PCL's progress reports and again directs the school to address outstanding compliance issues, particularly regarding disclosures and refunds.

May 2023:

- May 5: Hill sends copy of SFAC to Spiro. Hill meets with Spiro.
- Hill files the Supplemental First Amended Complaint for Damages, Declaratory & Injunctive Relief.
- PCL files a timely but materially incomplete progress report.
- State Bar staff provides a detailed list of omissions in PCL's progress report.

- Spiro files an opposition claiming that Hill failed to attempt to confer prior to filing the SFAC. Case is dismissed sua sponte. Hill notifies court of the alleged misrepresentations.

June 2023:

- PCL files a progress report that addresses more of the identified issues but still lacks specific timelines for compliance.
- PCL requests an extension of its waiver to teach classes online due to the pandemic emergency.
- PCL submits a major change request regarding the sale of its building and relocation to a new space.
- The Committee of Bar Examiners denies the waiver request and asks for more information on the major change request.
- May 21, 2023: Spiro files a motion and declaration containing statements that appears designed to mislead the Court, as it indicates, incorrectly, that Spiro “was not served” and never “discussed” a motion to file a supplemental complaint (at Docket #44); the Court orders an amended complaint sua sponte in part based on the erroneous statements.

July 2023:

- July 8: Hill emails Aramayo inquiring about his degree and refund.
- Aramayo responds evasively, claiming that Hill destroyed a previously issued check and that the school is a four-year institution.
- July 26: Hill refutes Aramayo's claims and reiterates his demands for a degree and a refund.

August 2023:

- **August 1:** Deadline for PCL to complete all outstanding requests and compliance actions, as per the State Bar's June 2023 order.
- August 18: The Committee of Bar Examiners meets to discuss PCL's probation progress report and directs the school to update its compliance status, conduct a transcript analysis, and provide details on its space plans..
- The committee directs PCL to update its compliance status, conduct a transcript analysis, and provide details on its space plans.
- August 24: Todd Hill, a graduate of People's College of Law, submitted a public comment and supporting documents to the California State Bar, alleging discriminatory practices in the administration of the First-Year Law Students' Examination (FYLSX) and the State Bar's failure to regulate unaccredited law schools. He highlighted the disproportionately high attrition rates among Black and Latino test-takers and accused the State Bar of perpetuating systemic inequities. The State Bar acknowledged receipt of the comment and indicated it would be reviewed by the Committee of Bar Examiners.
- **August 25:** ANV Global Services, Inc. sends a final denial letter to Hill, stating that there is no coverage for his claims under the Policy.
- **August 28:** The State Bar sends a letter to PCL outlining the actions taken by the Committee of Bar Examiners at its August 2023 meeting, including the directive to conduct a transcript analysis and update space plans.

September 2023:

- **September 1:** Hill emails Aramayo again, requesting a meeting with the treasurer to review the accounting and outstanding funds.
- **September 21:** Hill emails Aramayo with two questions: When will his degree be granted, and when will his refund be processed?
- **September 25:** Hill sends an email to Aramayo and the State Bar, expressing his dissatisfaction with Aramayo's response and reiterating his demands for a degree and a refund.
- **September 26:** Aramayo responds, claiming that Hill destroyed a previously issued check and that PCL is a four-year institution. Hill refutes these claims and asserts that PCL has not offered a good faith cure or remedy for its compliance failures.
- **September 27:** Hill forwards the email exchange with Aramayo to multiple parties, including the State Bar, the FBI, and the Department of Justice.

October 2023:

- **October 13:** The Committee of Bar Examiners meets to discuss PCL's September and October progress reports and directs the school to continue its transcript analysis, update its space plans, and cooperate with the inspection team.
- **October 20:** The State Bar sends a letter to Interim Dean Ana Maria Lobos, outlining the actions taken by the Committee of Bar Examiners at its October 2023 meeting.

May 2024

May 31: PCL degree grant authority is revoked.

August 2024

- **August 8:** State Bar reports that Hector Pena will be the Custodian of record for PCL.

Todd files public comments in opposition and requests support in filing a complaint from the State Bar's Public Trust Liaison Office. His requests in the context remain unanswered.

- **August 13:** Mr. Hill sends another Government Claims Act Form to the State Bar Secretary.

No. 25-6536

IN THE
**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

TODD R.G. HILL,
Plaintiff-Appellant,

vs.

PEOPLES COLLEGE OF LAW – BOARD OF DIRECTORS, *et al.*,
Defendants-Appellees.

On Appeal from the United States District Court
For the Central District of California
The Honorable Josephine L. Staton
District Court Case No. 2:23-cv-01298 JLS (BFM)

**Peoples College of Law Appellees’
Supplemental Excerpts of Record (Volume 2 of 2)**

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Adriana Zuniga, Prem Sarin, David Bouffard, and Hector Sanchez*

PCL-SER-00299

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:23-cv-01298-CV-BFM

Date: March 5, 2025

Title: Todd R.G. Hill v. Board of Directors of Peoples College of Law, et al.

=====
Present: The Honorable Brianna Fuller Mircheff, United States Magistrate Judge

Christianna Howard
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendant:
N/A

Proceedings: (In Chambers) Orders on Pending Motions

The Court submitted an Interim Report and Recommendation (R&R) on February 12, 2025. (ECF 213.) Objections have been submitted and the deadline for responses to those objections has passed. The matter is thus pending review of the District Judge.

In the meantime, the parties have filed four motions. For the clarity of the record, the Court orders as follows:

Plaintiff's Motion for Judicial Notice of State Bar Report (ECF 222)

Plaintiff moves for judicial notice of PowerPoint presentations conducted by the State Bar. (ECF 222.) Those reports reflect racial (and other) disparities in bar passage rates and in related law-school metrics, including attrition. The Court **grants** judicial notice of the fact that the State Bar of California has reported out such disparities. It does not change the recommendations made in the R&R, in that the Court took as true the allegation in the Third Amended Complaint that such discrepancies existed. (R&R at 15.)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:23-cv-01298-CV-BFM

Date: March 5, 2025

Title: Todd R.G. Hill v. Board of Directors of Peoples College of Law, et al.

Defendant Spiro's Request for Clarification (ECF 221)

Defendant Spiro points out an error in the R&R. He is correct: in footnote 2, the Court meant to say that it was not necessary to receive further briefing from Defendants on Plaintiff's requests for judicial notice (ECF 197) and his request to rule on his motion for judicial notice (ECF 210). Plaintiff opposes Spiro's request for clarification (ECF 225), but that Opposition does not change the Court's view. The Court recommended granting Plaintiff's request for judicial notice at Docket 197 and essentially granting his request at Docket 210, in that the Court considered the facts described in Docket 199 in deciding whether further amendments would be futile. (See R&R at 12 (describing handling of Plaintiff's requests for judicial notice).) The Court therefore views no prejudice to *Plaintiff* from its decision not to seek additional briefing from Plaintiff's opponent. Spiro's request (ECF 221), therefore, is **granted**.

Plaintiff's Motion for Judicial Notice of Bloomberg Article (ECF 224)

Plaintiff asks for judicial notice of a Bloomberg article reflecting comments by a trustee of the State Bar of California, and a comment by State Bar Executive Director acknowledging the existence of an unpublished audit relating to "predatory" law schools. (ECF 224.) The article reflects that Plaintiff, too, provided a public comment at the State Bar meeting. Plaintiff seeks judicial notice of the fact that the relevant comments were made and that the unpublished audit exists. (ECF 224 at 3-5.) The Court cannot take judicial notice of the truth of facts reported in an article. *Reynolds v. Binance Holdings Ltd.*, 481 F. Supp. 3d 997, 1002 (N.D. Cal. 2020). The Motion (ECF 224) is therefore **denied**. Even if the Court were to take judicial notice, moreover, it would not change the Court's recommendations; the R&R takes as given that the State Bar is aware that there are problems at certain for-profit law schools,

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:23-cv-01298-CV-BFM

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and, indeed, that it ultimately took steps against People’s College of Law itself. (R&R at 6.)

Plaintiff’s Motion for Judicial Notice of Declarations (ECF 228)

Finally, Plaintiff moves for judicial notice of declarations submitted by Ira Spiro and Héctor Candelario Peña Ramírez in support of a motion for summary judgment filed in state court. Those declarations, generally, confirm the existence of various administrative and bureaucratic issues at People’s College of Law during the time periods relevant to the case—frequent changes in administration, disorganized records (and the failure to keep certain records), records stored on personal email accounts and computer systems, etc. The Court would be willing to take judicial notice of the fact that the declarants made the statements they made—and because both declarants are Defendants, their admission to knowledge of certain facts could be relevant to the case. The Motion (ECF 228), therefore, is **granted** to that extent.

Doing so, however, does not alter any of the recommendations in the R&R; the R&R accepted as true Plaintiff’s allegation in the Third Amended Complaint that there were administrative failures at PCL (R&R at 6), and none of the Court’s recommendations turned on whether Spiro or Peña were aware of those administrative problems.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:23-cv-01298-CV-BFM

Date: March 5, 2025

Title: Todd R.G. Hill v. Board of Directors of Peoples College of Law, et al.

Emails to Chambers

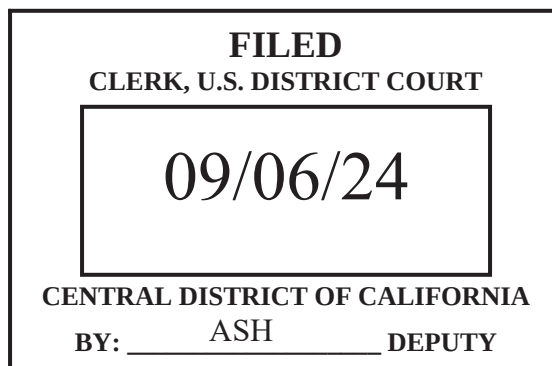
As Judge Staton previously warned Plaintiff (ECF 37), it is not appropriate to pepper the Deputy Clerk with requests for status updates on pending motions. The Deputy Clerk cannot provide any information about timelines for decision, the order in which submissions will be reviewed, or how they will be decided.

IT IS SO ORDERED.

cc: Todd R.G. Hill, pro se
Counsel of record

Initials of Preparer: ch

1 Todd R. G. Hill
2 41459 Almond Avenue
3 Quartz Hill, Ca 93551
4 +1 [661] 899-8899
5 toddryangregoryhill@gmail.com
6 *In Propria Persona*



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9 **UNITED STATES DISTRICT COURT FOR**
10 **THE CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION**

12
13 **TODD R. G. HILL, et al,**

CIVIL ACTION NO. 2:23-cv-01298-JLS-PD

14
15 **Plaintiffs**

Case No.: 2:23-CV-01298-JLS-BFM

16
17 **vs.**

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

18 **THE BOARD OF DIRECTORS,**
19
20 **OFFICERS AND AGENTS AND**
21 **INDIVIDUALS OF THE PEOPLES**
22 **COLLEGE OF LAW, et al.,**

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

PLAINTIFF'S NOTICE OF MOTION AND
MOTION TO AMEND THIRD AMENDED
COMPLAINT

NO ORAL ARGUMENT REQUESTED

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24 **Defendants.**
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**PLAINTIFF'S NOTICE OF MOTION AND MOTION TO AMEND THIRD AMENDED
COMPLAINT**

To The Honorable Court, All Parties, and Their Attorneys of Record:

PLEASE TAKE NOTICE that Plaintiff Todd Hill, proceeding in pro per, hereby moves the Court for leave to amend the Third Amended Complaint ("TAC") pursuant to Federal Rule of Civil Procedure 15(a) to add the State Bar of California and the Board of Directors of the Peoples College of Law (PCL) as defendants in this action.

INTRODUCTION

This motion seeks leave to amend the TAC to include the State Bar of California and the Board of Directors of Peoples College of Law (PCL) as additional defendants. The amendment is warranted based on their roles and actions connected to the claims outlined in the TAC, including recent developments that underscore their involvement.

STATEMENT OF FACTS

On or about August 13, 2024, Plaintiff Todd Hill submitted a government claim against the State Bar of California via email. This claim was formally rejected on September 3, 2024, as detailed in a letter from Jennifer Ko, Assistant General Counsel and Claims Officer for the State Bar of California. The letter stated that the State Bar had not received any prior government claims from Plaintiff, despite his assertions of a December 2022 submission.

The rejection letter, combined with the ongoing issues surrounding PCL and the State Bar's regulatory actions, necessitates the addition of both the State Bar of California and the Board of

1 Directors of PCL as defendants. Their involvement in the alleged negligence, malfeasance, and
2 breaches of duty is now clearly implicated.
3

4 **LEGAL STANDARD**

5
6 Under Federal Rule of Civil Procedure 15(a), a party may amend its pleading with the court's leave,
7 which should be "freely given when justice so requires." The Ninth Circuit advocates granting leave
8 to amend with "extreme liberality," unless there is evidence of bad faith, undue delay, prejudice to the
9 opposing party, or futility of the amendment. The Rule provides that the movant can file amendments
10 freely up to 21 days from the date of filing. Plaintiff asserts no defendant has timely filed a response.
11

12 **ARGUMENT**

- 13
- 14 1. **No Undue Delay:** Plaintiff is moving to amend promptly following the receipt of the claim
15 rejection from the State Bar, demonstrating no undue delay. The motion is filed in a timely
16 manner given the recent development.
17
 - 18 2. **No Prejudice:** The proposed amendment will not prejudice the existing defendants. The new
19 defendants are connected to the same set of facts and events already detailed in the TAC.
20
 - 21 3. **Amendment Is Not Futile:** The amendment will allow Plaintiff to pursue viable claims
22 against the State Bar of California and the Board of Directors of PCL based on newly
23 acquired information and their direct involvement in the alleged misconduct.
24
 - 25 4. **Timeliness and Good Faith Efforts:** The Plaintiff's motion to amend is timely and made in
26 good faith. As per Federal Rule of Civil Procedure 15(a), Plaintiff had 21 days to amend the
27 Third Amended Complaint without seeking the Court's permission. Notably, Defendant
28

1 Spiro's motion to dismiss, filed on September 4, 2024, was submitted within this period¹,
2 reflecting an untimely and potentially bad faith effort to delay the proceedings. Plaintiffs
3 recent email communication to opposing counsel and the Clerk of the Court, requesting a
4 meet and confer regarding this untimely filing and other related issues, underscores the
5 Plaintiff's commitment to addressing procedural concerns transparently and seeking resolution
6 in a manner consistent with the rules.

7
8
9 **5. No Prejudice and Judicial Efficiency:** The proposed amendment does not cause undue delay
10 or prejudice to the current defendants. The Plaintiff has acted promptly after receiving the
11 rejection of the government claim and the untimely motion to dismiss. The request to amend
12 the complaint aligns with the principles of judicial efficiency and fairness, ensuring that all
13 relevant parties are included and that claims are fully adjudicated.

14
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16 **6. Resolution of Procedural Issues:** The Plaintiff's communication regarding the untimely
17 filing of a motion for dismissal suggests bad faith conduct by certain defendants, including the
18 avoidance of opportunities to cure procedural issues. This further supports the need for a
19 thorough examination of the claims and underscores the necessity of including the State Bar
20 of California and the Board of Directors of PCL as defendants to address all pertinent aspects
21 of the case comprehensively and the provision of leave to file this amended complaint.

22
23
24 **7. Proactively Addresses Potential Criticisms:**

- 25
26 ○ **Compliance with Government Claims Act:** Plaintiff acknowledges that a
27 government claim was submitted and rejected as of September 3, 2024. This motion is

28

¹ Plaintiff and Mr. Spiro met pursuant to L.R. 7-3 on August 30, 2024. Mr. Spiro's filing of his motion on September 4, 2024 occurred within 5 days of the meeting which also appears to violate the 7 days required between meeting and filing.

1 timely as it follows the formal rejection and addresses the issues related to
2
3 compliance.

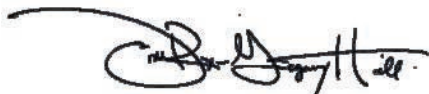
- 4 ○ **No Undue Delay in Allegations:** The amendment directly correlates to the rejection
5
6 notice and the need to include the additional parties who have played a significant role
7
8 in the alleged actions.
9
10 ○ **Factual Specificity:** The TAC is amended to provide greater detail regarding the
11
12 specific actions of the new defendants and their involvement in the racketeering and
13 other violations.

14 **CONCLUSION**

15 For the reasons stated above, Plaintiff Todd Hill respectfully requests that the Court grant leave to
16
17 amend the Third Amended Complaint to include the State Bar of California and the Board of
18 Directors of Peoples College of Law as defendants in this action as well as any additional relief the
19 Court deems just and appropriate.

20 Dated: September 6, 2024

21 Respectfully submitted,

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25 Todd Hill

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27 Plaintiff, In Pro Per

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TODD R.G. HILL, et al.,
Plaintiffs,

v.

THE BOARD OF DIRECTORS,
OFFICERS, AND AGENTS AND
INDIVIDUALS OF PEOPLES
COLLEGE OF LAW, et al.,
Defendants.

No. 2:23-cv-01298-JLS-BFM

**ORDER ACCEPTING
MAGISTRATE JUDGE'S
INTERIM REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Second Amended Complaint, the records and files herein, the Magistrate Judge's Interim Report and Recommendation, and Plaintiff Todd R.G. Hill's Objections to the Report and Recommendation. The Court has engaged in a de novo review of those portions of the Interim Report and Recommendation to which objections have been made.

The Court accepts the recommendations of the Magistrate Judge with one exception. The State Bar Defendant argues that its departments and committees should be dismissed with prejudice because those entities lack capacity to be sued. (ECF 137 at 5.) Under California law, it is the State Bar itself, and not entities under its control, that may sue and be sued. Cal. Bus. &

PCL-SER-00309

1 Prof. Code § 6001. The Defendants at issue—the Office of Chief Trial Counsel,
2 Board of Trustees, Office of Admissions, and Office of General Counsel—are not
3 named in any Cause of Action and are dismissed with prejudice.

4 ACCORDINGLY, IT IS ORDERED:

5 1. The Report and Recommendation is accepted.

6 2. Plaintiff's Request for Judicial Notice (ECF 102) is **granted**, but
7 only as to the existence of the attached State Bar exhibits, and not as to the
8 validity or accuracy of the contents of these exhibits.

9 3. Plaintiff's Second Request for Judicial Notice (ECF 106) is **denied**.

10 4. The moving Defendants' Motions to Dismiss the Second Amended
11 Complaint (ECF 58, 78, 88, 89, 92, 110, 122) are **granted in part**, as follows:

12 (a) the Second Amended Complaint is dismissed in its entirety for
13 Plaintiff's failure to comply with Rule 8;

14 (b) all of Plaintiff's claims against the State Bar and its committees
15 or departments (except for Plaintiff's Twelfth and Thirteenth Causes of
16 Action based only on Title IX), because these Defendants have Eleventh
17 Amendment immunity, are dismissed **with prejudice**;

18 (c) all of Plaintiff's claims against the individual State Bar
19 Defendants in their official capacity (except Plaintiff's Twelfth, and
20 Thirteenth Causes of Action based only on Title IX and his Sixth and
21 Seventh Causes of Action to the extent those claims may seek declaratory
22 or injunctive relief), are dismissed **with prejudice** because these
23 Defendants have Eleventh Amendment immunity;

24 (d) the Sixth Cause of Action is dismissed **with prejudice** to the
25 extent it seeks Federal Bar admission, as such relief is beyond this Court's
26 jurisdiction;

1 (e) Plaintiff's Fourteenth, Fifteenth, and Sixteenth Causes of Action
2 under 18 U.S.C. §§ 241, 242, and 245, are dismissed **with prejudice**
3 because there is no private right of action under those statutes; and

4 (f) Defendants Office of Chief Trial Counsel, Board of Trustees,
5 Office of Admissions, and Office of General Counsel are dismissed with
6 prejudice.

7 5. The moving Defendants' Motions to Dismiss are otherwise **denied**
8 **without prejudice**, including Defendant Gonzalez' Motion to Dismiss for
9 insufficient service of process; Defendant Spiro's request for sanctions; and the
10 individual State Bar Defendants Motion to dismiss based on quasi-judicial or
11 qualified immunity.

12 6. Plaintiff's Motion to Dismiss (ECF 89) is **dismissed as moot**.

13 7. **Not later than thirty days from the date of this Order**,
14 Plaintiff shall file a Third Amended Complaint remedying the deficiencies
15 detailed herein. To be clear, any claim that has been dismissed with prejudice
16 may *not* be reasserted in the Third Amended Complaint.

17 8. The Court Clerk shall serve this Order on all counsel or parties of
18 record.

19
20 DATED: August 5, 2024

21 
22 HONORABLE JOSEPHINE L. STATON
23 UNITED STATES DISTRICT JUDGE
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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**
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12 **TODD R.G. HILL, et al.,**

13 **Plaintiffs,**

14 **v.**

15 **THE BOARD OF DIRECTORS,**
16 **OFFICERS, AND AGENTS AND**
17 **INDIVIDUALS OF PEOPLES**
18 **COLLEGE OF LAW, et al.,**

19 **Defendants.**

No. 2:23-cv-01298-JLS-BFM

INTERIM REPORT AND
RECOMMENDATION OF
UNITED STATES
MAGISTRATE JUDGE

20 This Interim Report and Recommendation is submitted to the Honorable
21 Josephine L. Staton, United States District Judge, pursuant to 28 U.S.C. § 636
22 and General Order 05-07 of the United States District Court for the Central
23 District of California.

24 **SUMMARY OF RECOMMENDATION**

25 This is a civil rights case filed by a pro se litigant. Plaintiff Todd R.G. Hill
26 makes numerous claims against individuals and entities associated with the
27 Peoples College of Law and the State Bar of California. The District Judge twice
28 before dismissed his complaints as violating Rule 8's requirement of a short and

PCL-SER-00312

1 plain statement of a claim on which relief can be granted. The most recent
2 Second Amended Complaint is significantly longer than the First Amended
3 Complaint dismissed by the District Judge, and it is not appreciably clearer. For
4 violating Rule 8 alone, dismissal is warranted. Though the question is close, the
5 Court recommends dismissal with leave to amend. Both prior dismissals were
6 sua sponte dismissals under Rule 8 only. The instant round of Motions to
7 Dismiss have provided Plaintiff substantive feedback on the viability of certain
8 claims, and this Report and Recommendation recommends dismissing certain
9 claims with prejudice. That information may provide Plaintiff insight that will
10 help him streamline the presentation of his case. The Court therefore believes
11 that it would be appropriate to give Plaintiff one last opportunity to attempt to
12 state a claim.

13 The Second Amended Complaint also is deficient for: (1) naming
14 Defendants who are immune from suit under the Eleventh Amendment; (2)
15 seeking forms of relief that neither Defendants nor the Court have the authority
16 to grant; and (3) raising claims under statutes that have no private right of
17 action. Because these deficiencies cannot be cured, some of Plaintiff's claims
18 should be dismissed with prejudice, as described below.

19 20 **RELEVANT PROCEDURAL HISTORY**

21 Plaintiff initially filed his lawsuit on February 20, 2023. (ECF 1.) The
22 District Court *sua sponte* dismissed the original Complaint with leave to amend,
23 finding that it violated Rule 8 of the Federal Rules of Civil Procedure. (ECF 37.)
24 Plaintiff's First Amended Complaint likewise was dismissed *sua sponte* for
25 violating Rule 8. (ECF 38, 45 (describing the 75-page First Amended Complaint
26 as "prolix, rambling, and excessively long").) On September 20, 2023, Plaintiff
27 filed the operative Second Amended Complaint ("SAC"). (ECF 55.) The SAC is
28

1 121 pages long, plus almost 70 pages of exhibits, and contains 16 causes of action
2 against more than 60 individuals. (*Id.*)

3 Pending before the Court are seven motions to dismiss. (ECF 58, 78, 88,
4 89, 92, 110, 122.) Plaintiff moves to voluntarily dismiss four individual
5 Defendants from the case. (ECF 89.) Defendant Ira Spiro moves to dismiss the
6 case against him, arguing that the Second Amended Complaint violates Rule 8
7 and requesting sanctions. (ECF 58.) Four groups of Defendants associated with
8 the Peoples College of Law ("PCL Defendants") likewise move to dismiss
9 primarily on the ground that the Second Amended Complaint violates Rule 8.
10 (ECF 78, 92, 110, 122.) A group of Defendants associated with the State Bar of
11 California ("State Bar Defendants") move to dismiss on the following grounds:
12 (1) the Second Amended Complaint violates Rule 8; (2) the Eleventh
13 Amendment bars claims against the State Bar and its employees sued in their
14 official capacity; (3) all State Bar Defendants are entitled to either quasi-judicial
15 immunity or qualified immunity; (4) Plaintiff has failed to state a claim against
16 the State Bar Defendants; and (5) Plaintiff has failed to plead compliance with
17 the California Government Claims Act. (ECF 88.)

18 The moving Defendants ask that the Second Amended Complaint be
19 dismissed without leave to amend and with prejudice, and Defendant Spiro has
20 asked for monetary sanctions payable to the Court and an order prohibiting
21 Plaintiff from filing any further papers with the Court without prior written
22 permission. (ECF 58 at 16-20; ECF 78 at 7-8; ECF 88 at 21; ECF 92 at 7-8; ECF
23 110 at 8-9; ECF 122 at 8-9.)

24 With the exception noted below, each of Defendants' Motions is now fully
25 briefed. See ECF 82 & 85 (opposition and reply to ECF 58); ECF 81 & 100
26 (opposition and reply to ECF 78); ECF 103 & 107 (opposition and reply to ECF
27 88); ECF 104 & 109 (opposition and reply to ECF 92); ECF 118-19 & 124
28

1 (opposition and reply to ECF 110); ECF 127 (opposition to ECF 122).¹ Plaintiff's
2 Motion to dismiss four individual Defendants is unopposed. All of the Motions
3 are now ready for decision.

4 Also pending before the Court are Plaintiff's two requests for judicial
5 notice. (ECF 102, 106.) The first is a 211-page "Request for Judicial Notice of
6 Facts and Entry of Documents, etc.," which includes two exhibits from the State
7 Bar regarding the Peoples College of Law's asserted noncompliance with State
8 Bar rules. (ECF 102.) Plaintiff has asked that the Court take judicial notice of
9 these exhibits and of "facts" drawn from Plaintiff's interpretation of the exhibits.
10 (*Id.* at 7-13.) Defendant Spiro opposed the request for judicial notice, arguing
11 that it concerns statements of fact subject to reasonable dispute. (ECF 105.)
12 Plaintiff replied, disagreeing that the exhibits in question are subject to dispute.
13 (ECF 112, 115.)

14 Plaintiff's "Second Request for Judicial Notice, etc.," requests that the
15 Court take notice of: (1) *Leon v. Cnty. of Riverside*, 14 Cal. 5th 910 (2023)
16 (concerning public employee immunity under California's Government Claims
17 Act); and (2) a 1963 California Law Revision Commission "recommendation"
18 regarding sovereign immunity in California (and Plaintiff's interpretation of
19 these exhibits) "for judicial efficiency to avoid an error in ruling." (ECF 106.)
20
21

22 ¹ The Court reviewed ECF 122, which is the fourth of four motions filed on
23 behalf of a group of PCL Defendants, as well as Plaintiff's opposition to that
24 Motion (ECF 127). The Motion and Opposition are practically identical to the
25 briefing relating to the third motion, ECF 110, as to which Defendants have
26 filed a reply. All PCL Defendants are represented by the same counsel. The
27 Court recommends largely granting the relief sought by the PCL Defendants,
28 and in any event does not anticipate that the Reply to ECF 122 will shed new
light on its analysis of ECF 122 or the recommendations made here. For these
reasons, the Court determines a reply is not necessary to its recommendations
relating to ECF 122.

1 The time for opposing Plaintiff's Second Request for Judicial Notice has passed.
2 Both requests for judicial notice are ready for decision.
3

4 THE SECOND AMENDED COMPLAINT

5 A. Summary of Plaintiff's Allegations

6 Without attempting to exhaustively state the facts set out in the 121-page
7 Second Amended Complaint, the gist of Plaintiff's allegations, taken as true for
8 purposes of the pending Motions, follows: Plaintiff enrolled in Peoples College
9 of Law ("PCL"), an unaccredited law school in Los Angeles, California, in the
10 fall of 2019. (SAC ¶¶ 2-3, 74, 84.) He passed the First Year Law School Exam—
11 the "baby bar," a test required of individuals who attend unaccredited law
12 schools—in June 2020. (SAC ¶ 76 Ex. H.) Since his enrollment at PCL, Plaintiff
13 has raised numerous complaints about the management of the school with both
14 PCL and the State Bar. (SAC ¶¶ 78, 90, 93, 99, 102-04, 107-09, 113, 115, 119-
15 22, 139-73, 182, 206-19, 221-44, 250, 255-63.) Plaintiff alleges that due to the
16 problems at PCL, and in retaliation for his complaints, he has been prevented
17 from completing his degree at PCL or transferring to another law school to
18 complete a degree. (SAC ¶¶ 79, 161, 189, 210, 260.)

19 More specifically, Plaintiff describes issues enrolling in classes that would
20 permit him to obtain a degree, including being denied classes at PCL for his
21 required "4L" year. (SAC ¶ 210.) Plaintiff requested and was denied an
22 exemption from meeting PCL's unit or hourly requirements for awarding a
23 degree. (SAC ¶¶ 213-14 (referencing the Committee of Bar Examiners'
24 Guidelines for Unaccredited Law School Rules ("GULSR") Rule 5.6).) Plaintiff
25 was encouraged to submit a proposed plan of study complying with PCL's
26 "Admission Rules," or contact other law schools to see if he could enroll for the
27 2022-23 academic year. (SAC ¶¶ 214, 216.) Plaintiff describes countless issues
28 getting an "accurate" transcript, which he alleges has prevented him from

1 transferring to a new school to complete his degree. (SAC ¶¶ 77-79, 105-06, 207-
2 09, 213, 256, 260, 274, 305, 353, 367, 464, 470, 530, 562.) As of September 2023,
3 Plaintiff's attempts to transfer to another school to complete his degree remain
4 "stymied." (SAC ¶ 260.)

5 Plaintiff also alleges that, as a student, Plaintiff was a member of PCL's
6 Board of Directors and he also served as Secretary. (SAC ¶¶ 91-92.) He believes
7 that PCL is not operating in accordance with its own bylaws, or with
8 "appropriate student solicitation, recruitment, and matriculation standards,"
9 including those set by the State Bar. (*E.g.*, SAC ¶¶ 92-99, 107, 110, 112.)
10 Plaintiff alleges that PCL recruited students, demanded and collected funds,
11 and entered into contracts in bad faith without disclosing PCL's "non-compliant
12 status." (SAC ¶¶ 110-11.) Plaintiff further alleges that PCL is not managing its
13 money properly or adequately maintaining and disclosing records as required.
14 (SAC ¶¶ 99, 102-06, 108-11, 133-37.)

15 Based on these allegations, Plaintiff names as Defendants PCL's Board of
16 Directors, officers, and agents, and numerous individuals associated with PCL.
17 (SAC ¶¶ 2, 5-20.) Plaintiff also names individuals and entities relating to the
18 State Bar and its Board of Trustees. (SAC ¶¶ 21, 23-68.) The State Bar
19 formulates rules for unaccredited law schools like PCL, which govern the
20 schools' registration status and degree-granting authority. (SAC ¶¶ 83-85.) One
21 such rule is that the State Bar does not intervene in disputes between students
22 and their law schools. (SAC ¶ 86.) Student complaints are reviewed only "to
23 determine whether they raise compliance issues" with the rules for unaccredited
24 law schools. (*Id.*) Another rule is that law schools must "deal with prospective
25 students, applicants, and students in an honest and forthright manner in all
26 financial dealings." (SAC ¶ 87.) Plaintiff claims that the State Bar and related
27 entities failed to respond to his complaints, failed to oversee PCL's operations,
28 and permitted PCL to operate in a "grossly negligent" and "overtly predatory

1 fashion in [PCL's] student recruitment and retention efforts." (*E.g.*, SAC ¶¶ 100-
2 01, 113, 173.)

3 **B. The Second Amended Complaint's Causes of Action**

4 Plaintiff alleges sixteen causes of action: (1) breach of contract, (2)
5 common law breach of fiduciary duty, (3) breach of fiduciary duty related to
6 violation of federal and state administrative law and business practices, (4)
7 breach of fiduciary duty related to solicitations in violation of California
8 Business & Professions Code section 17510.8, (5) untrue or misleading
9 statements in violation of California Business & Professions Code section 17500,
10 (6) civil rights violations under 42 U.S.C. § 1981, (7) civil rights violations under
11 42 U.S.C. § 1981 and California Civil Code section 52.1 (the Bane Act), (8)
12 negligence, (9) civil Racketeer Influenced and Corrupt Organizations Act
13 ("RICO"), 18 U.S.C. § 1962, *et seq.*, (10) conspiracy, (11) common law extortion,
14 (12) civil rights violations under 42 U.S.C. § 1983 under Title IX, 20 U.S.C. §
15 1681, *et seq.*, (13) civil rights violations under 42 U.S.C. § 1983 under Title IX,
16 (14) civil rights violations under 18 U.S.C. § 241, (15) civil rights violations
17 under 18 U.S.C. § 242, and (16) civil rights violations under 18 U.S.C. § 245.
18 (SAC at 53-117.)

19 **C. The Remedies Sought by Plaintiff**

20 Hill alleges that the various PCL Defendants' actions have caused him to
21 suffer financial and emotional harm for which he seeks declaratory, injunctive,
22 and monetary relief, including attorney's fees and costs. He also seeks an
23 accounting, the grant of a Juris Doctorate degree, and admission to the Federal
24 Bar. (SAC ¶¶ 280, 287-89, 338-41, 356, 370, 380-81, 397-400, 521-22, 532, 545,
25 571-89.) Hill alleges that the various State Bar Defendants' actions have caused
26 him to suffer financial harm for which he seeks declaratory, injunctive, and
27 monetary relief including attorney's fees and costs. (SAC ¶ 322, 338-41, 397-400,
28 521-22, 545, 571-89.)

ANALYSIS

A. Standards for Dismissal Under Rules 12(b)(6) and 8 of the Federal Rules of Civil Procedure

A motion to dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure “tests the legal sufficiency of a claim.” *Navarro v. Block*, 250 F.3d 729, 732 (9th Cir. 2001). Dismissal under Rule 12(b)(6) may be based on “either a ‘lack of a cognizable legal theory’ or ‘the absence of sufficient facts alleged under a cognizable legal theory.’” *Johnson v. Riverside Healthcare Sys., LP*, 534 F.3d 1116, 1121 (9th Cir. 2008) (citation omitted). To survive a motion to dismiss under Rule 12(b)(6), a complaint must contain “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citation and internal quotations omitted). A claim is facially plausible “when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.” *Id.* (observing that Rule 8 does not require “detailed factual allegations” but requires more than “labels and conclusions”).

When assessing the legal sufficiency of a plaintiff’s claims, a court must accept as true all non-conclusory factual allegations contained in the complaint and must construe the complaint in the light most favorable to the plaintiff. *See Zucco Partners, LLC v. Digimarc Corp.*, 552 F.3d 981, 989 (9th Cir. 2009). A court must construe a pro se litigant’s pleading liberally and hold a pro se plaintiff “to less stringent standards than formal pleadings drafted by lawyers.” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (citation omitted).

Generally, a court may not consider material beyond the complaint in deciding a Rule 12(b)(6) motion. *Intri-Plex Techs., Inc. v. Crest Grp., Inc.*, 499 F.3d 1048, 1052 (9th Cir. 2007) (citation omitted). A court may consider “only allegations contained in the pleadings, exhibits attached to the complaint, and matters properly subject to judicial notice.” *Akhtar v. Mesa*, 698 F.3d 1202, 1212

1 (9th Cir. 2012) (citation omitted); *Schneider v. Cal. Dep't of Corrs.*, 151 F.3d
2 1194, 1197 n.1 (9th Cir. 1998) (“In determining the propriety of a Rule 12(b)(6)
3 dismissal, a court may *not* look beyond the complaint to a plaintiff’s moving
4 papers, such as a memorandum in opposition to a defendant’s motion to
5 dismiss.”) (citations omitted).

6 The moving Defendants have asked for dismissal for failure to comply
7 with Federal Rule of Civil Procedure 8. Rule 8 requires “a short and plain
8 statement of the claim showing that the pleader is entitled to relief” where each
9 allegation is “simple, concise, and direct.” *See* Fed. R. Civ. P. 8(a), (d)(1)). Rule 8
10 is grounds for dismissal independent of Rule 12(b)(6), and dismissal on Rule 8
11 grounds does not require that a complaint be wholly without merit. *See McHenry*
12 *v. Renne*, 84 F.3d 1172, 1179 (9th Cir. 1996). Such dismissal is typically reserved
13 for those “instances in which the complaint is so ‘verbose, confused and
14 redundant that its true substance, if any, is well disguised.’” *Hearns v. San*
15 *Bernardino Police Dep’t*, 530 F.3d 1124, 1131 (9th Cir. 2008) (quoting *Gillibeau*
16 *v. City of Richmond*, 417 F.2d 426, 431 (9th Cir. 1969)); *see also McHenry*, 84
17 F.3d at 1178-79 (court may dismiss a pro se litigant’s complaint for
18 noncompliance with Rule 8); *see generally Ghazali v. Moran*, 46 F.3d 52, 54 (9th
19 Cir. 1995) (“Although we construe pleadings liberally in their favor, pro se
20 litigants are bound by the rules of procedure.”); Local Rule 83-2.2.3 (pro se
21 litigants are bound by Local Rules and federal rules).

22 For example, “shotgun pleading” complaints full of “everyone did
23 everything” allegations are subject to dismissal for violating Rule 8. *See Destfino*
24 *v. Reiswig*, 630 F.3d 952, 958 (9th Cir. 2011). As the District Judge explained in
25 connection with dismissal of Plaintiff’s First Amended Complaint:

26 Shotgun pleadings are pleadings that overwhelm defendants with
27 an unclear mass of allegations and make it difficult or impossible
28 for defendants to make informed responses to the plaintiff’s

1 allegations One common type of shotgun pleading comes in
2 cases with multiple defendants where the plaintiff uses the omnibus
3 term “Defendants” throughout a complaint by grouping defendants
4 together without identifying what the particular defendants
5 specifically did wrong. Another type is where the plaintiff recites a
6 collection of general allegations toward the beginning of the
7 Complaint, and then each count incorporates every antecedent
8 allegation by reference This shotgun pleading style deprives
9 Defendants of knowing exactly what they are accused of doing
10 wrong.

11 (ECF 45 at 5-6 (quoting *Sollberger v. Wachovia Secs., LLC*, No. SACV 09-0766
12 AG (ANx), 2010 WL 2674456, at *4-5 (C.D. Cal. June 30, 2010)).)

13 Dismissal for failure to comply with Rule 8 is proper where “the very
14 prolixity of the complaint [makes] it difficult to determine just what
15 circumstances were supposed to have given rise to the various causes of action.”
16 *McHenry*, 84 F.3d at 1178. “Experience teaches that, unless cases are pled
17 clearly and precisely, issues are not joined, discovery is not controlled, the trial
18 court’s docket becomes unmanageable, the litigants suffer, and society loses
19 confidence in the court’s ability to administer justice.” *Bautista v. L.A. Cnty.*,
20 216 F.3d 837, 841 (9th Cir. 2000) (citation omitted).

21 **B. Plaintiff’s Requests for Judicial Notice Should Be Denied in Part**

22 Before analyzing the pending Motions, the Court has reviewed Plaintiff’s
23 requests for judicial notice—one for judicial notice of certain documents
24 prepared by the State Bar and the other for judicial notice of cases and other
25 authorities. (ECF 102, 106.) The Court may judicially notice a fact that is not
26 subject to reasonable dispute because it: (1) is “generally known within the trial
27 court’s territorial jurisdiction” or (2) can be “accurately and readily determined
28

1 from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid.
2 201(b).

3 As an initial matter, “[c]ourts do not take judicial notice of documents,
4 they take judicial notice of facts. The existence of a document could be such a
5 fact, but only if the other requirements of Rule 201 are met.” *Cruz v. Specialized*
6 *Loan Servicing, LLC*, No. SACV 22-01610-CJC (JDEx), 2022 WL 18228277, at
7 *2 (C.D. Cal. Oct. 14, 2022) (citation and internal brackets omitted). Documents
8 in the public record may be judicially noticed to show, for example, that a
9 judicial proceeding occurred or that a document was filed in another case. *Lee v.*
10 *City of L.A.*, 250 F.3d 668, 689-90 (9th Cir. 2001). That does not mean, however,
11 that a court may take judicial notice of findings of fact from another case. *Id.*

12 As applied here, the Court may take notice of the existence of the State
13 Bar exhibits (ECF 102), as those are documents made publicly available by a
14 government entity. *See Daniels-Hall v. Nat’l Educ. Ass’n*, 629 F.3d 992, 998-99
15 (9th Cir. 2010). It may not, however, take judicial notice of the factual findings
16 contained in those document or Plaintiff’s interpretation of the facts contained
17 in the exhibits. *See M/V Am. Queen v. San Diego Marine Const. Corp.*, 708 F.2d
18 1483, 1491 (9th Cir. 1983) (“[A] court may not take judicial notice of proceedings
19 or records in another cause so as to supply, without formal introduction of
20 evidence, facts essential to support a contention in a cause then before it.”).

21 The Court need not take judicial notice of the California authorities that
22 Plaintiff cites for “judicial efficiency.” (ECF 106.) First, it is not necessary to ask
23 for judicial notice of cases and other legal authority; the Court has considered
24 all relevant legal authorities in making the recommendations contained in this
25 Report and Recommendation, and may do so without taking judicial notice of
26 those authorities. Nor is it appropriate to smuggle legal arguments into a
27 request for judicial notice. Plaintiff must cite and discuss any relevant legal
28 authority in his briefing to the Court, and not in a request for judicial notice.

1 For these reasons, the Court recommends that Plaintiff's request for
2 judicial notice of the State Bar exhibits (ECF 102) be **granted in part and**
3 **denied in part**. The Court should take judicial notice of the existence of those
4 documents, but not the validity or accuracy of the contents of those documents.

5 Plaintiff's request for judicial notice of legal authorities (ECF 106) should
6 be **denied** in its entirety.

7 **C. The Second Amended Complaint Should Be Dismissed for Failure**
8 **to Comply with Rule 8**

9 The 121-page SAC, like the First Amended Complaint (*see* ECF 45 at 8-9
10 (discussing same)), is excessively long and often confusing. Indeed, the SAC is
11 almost fifty pages *longer* than the First Amended Complaint—a complaint that
12 the District Judge described as excessively prolix. Moreover, despite the District
13 Judge's prior warnings, the SAC continues to exhibit the landmarks of a
14 “shotgun pleading.” The Court thus agrees with Defendants that dismissal
15 under Rule 8 is once again appropriate.

16 The Court provides concrete examples of the problems with the SAC, but
17 does not attempt to catalogue them exhaustively. At the outset, the SAC
18 contains 38 pages of general allegations common to all counts. (SAC ¶¶ 74-263.)
19 Each cause of action then incorporates by reference every antecedent allegation.
20 (SAC ¶¶ 264, 290, 309, 323, 334, 344, 357, 371, 382, 460, 523, 533, 549, 558, 565,
21 567.) It is difficult to discern, therefore, which allegations actually form the
22 basis of any cause of action.

23 Although the headings for the causes of action purport to name the
24 Defendants for which each cause of action applies, Plaintiff generally uses the
25 term “Defendants” throughout the Second Amended Complaint without
26 identifying with particularity which Defendant(s) are referenced. (*E.g.*, SAC ¶¶
27 276-78, 281, 283-89, 304, 321, 324-25, 328, 330, 332-33, 335, 338-39, 341-43,
28

1 361-62, 364, 367-70, 393, 396, 398, 428, 431, 439, 441, 454, 458, 464, 466, 476,
2 479-80, 490, 492, 522, 528-29, 532, 542, 545.)

3 Many of the named Defendants (*e.g.*, Roger Amayo (or Aramayo), Ismael
4 Venegas, William Maestas, the State of California, Jay Frykberg, Larry Kaplan,
5 Carolyn Holmes, Robert S. Brody, Rachel R. Rossi, and Shataka Shores-Brooks)
6 do not appear in any allegations despite the initial paragraphs identifying them
7 as defendants. (SAC ¶¶ 18-20, 22, 43, 47, 50, 58-59, 62, 65, 67.) The caption lists
8 some individuals (*e.g.*, Jessica Viramontes, Jean Krasilnikoff, Natalie Leonard,
9 and the Attorney General of the United States) who are not identified as
10 Defendants. (SAC at 2-5.) The headings for the causes of action also purport to
11 name some individuals (*e.g.*, Knowles) who are not identified as Defendants.
12 (SAC at 59, 80, 95.)

13 Similarly, several causes of action purport to name individual Defendants
14 yet contain no specific allegations about what those individuals did—meaning
15 the Court would have to comb through Plaintiff's hundreds of prior allegations
16 incorporated by reference to find these Defendants (if they are mentioned at all).
17 For example, the Third Cause of Action names Defendants Venegas and
18 Aramayo but contains no specific allegations involving either of these
19 Defendants. (SAC ¶¶ 309-22.) The Sixth Cause of Action does not identify any
20 Defendant(s) to which it applies. (SAC ¶¶ 344-56.) The Eighth Cause of Action
21 names Defendants Duran, Sowell, Chen, Wong, Shores-Brooks, Lawrence,
22 Xiang, Herman, and Cisneros, but contains no specific allegations as to any of
23 these Defendants. (SAC ¶¶ 371-81.) The Tenth Cause of Action names
24 Defendant Mazer but contains no specific allegations involving this Defendant.
25 (SAC ¶¶ 460-522.) The Thirteenth Cause of Action names Defendants Gillens,
26 Hope, and "Zuniga2," but contains no specific allegations involving these
27 Defendants. (SAC ¶¶ 549-57.) The Fourteenth Cause of Action names
28 Defendants Maestas, Aramayo, Gillens, Krasilnikoff, and "Zuniga2," but

1 contains no specific allegations involving these Defendants. (SAC ¶¶ 558-64.)
2 The Fifteenth and Sixteenth Causes of Action name Defendants Maestas,
3 Aramayo, Gillens, Krasilnikoff, and “Zuniga2,” but contain no specific
4 allegations involving these Defendants, and no factual allegations at all—only
5 legal conclusions. (SAC ¶¶ 565-68.)

6 Although Plaintiff names as defendants PCL’s Board of Directors, officers,
7 agents, and unidentified “individuals,” and the State Bar, the Committee of Bar
8 Examiners, the Committee of State Bar Accredited and Registered Schools, and
9 the State Bar’s Office of General Counsel, Office of Chief Trial Counsel, and
10 Office of Admissions, he has not named these Defendants in any of his causes of
11 action. (SAC ¶¶ 2, 21, 23-27.)

12 These errors and others like them prevent any given Defendant from
13 understanding exactly what Plaintiff alleges that Defendant did wrong. And
14 more fundamentally, stepping back from these discrete pleading problems, the
15 SAC does not do what the District Judge instructed Plaintiff to do: “intelligently
16 inform’ Defendants in this action—and this Court—who violated his rights,
17 what facts show that his rights were violated, when the violations occurred,
18 where they happened, and why he is entitled to relief.” (See ECF 45 at 10.)
19 Despite significant effort, this Court is lost in a sea of events, meetings, and
20 emails, without a clear understanding of how any of the allegations support
21 Plaintiff’s claims. And each cause of action contains lists of facts, many of which
22 have no relation to the cause of action under which they fall—making it
23 impossible for the Court to test their legal sufficiency. (*See, e.g.*, SAC ¶¶ 264-89
24 (breach of contract claim that includes allegations about, among other things,
25 record keeping issues, retaliation, and breach of fiduciary duties).)

26 In opposing the pending Motions to dismiss, Plaintiff argues that the
27 details in the SAC provide necessary context, and he insists that the pleading is
28 as organized and streamlined as it can be. (ECF 82 at 16.) The Court disagrees.

1 Not every communication, email, and meeting between Plaintiff and Defendants
2 is necessary context. And unfortunately for Plaintiff, the important parts of
3 Plaintiff's account simply get lost in the recitation of such unnecessary details.

4 Nor can the length and detail in the SAC be justified by Rule 9 of the
5 Federal Rules of Civil Procedure. (ECF 82 at 19.) Rule 9 requires that a party
6 "state with particularity the circumstances constituting fraud or mistake." But
7 Rule 9 "is not an invitation to disregard Rule 8's requirement of simplicity,
8 directness, and clarity." *McHenry*, 84 F.3d at 1178. It does not provide Plaintiff
9 license to file a bloated pleading.

10 The Court therefore recommends that the Second Amended Complaint be
11 dismissed as violating Rule 8. *See, e.g., Gjovik v. Apple Inc.*, No. 23-cv-04597-
12 EMC, 2024 WL 347922, at *1-2 (N.D. Cal. Jan. 30, 2024) (dismissing second
13 amended complaint with leave to amend, and cautioning plaintiff to "not go into
14 every nuance and aspect of her case").

15 The next question is whether dismissal should be with leave to amend.
16 That question is a close one. All Defendants argue that dismissal should be with
17 prejudice and without further leave to amend, and their arguments in support
18 of that position have some force. The problems identified above are ones that
19 were fleshed out in the District Judge's previous orders. Instead of taking those
20 findings to heart, Plaintiff continues down his own path—almost defiantly so.
21 Instead of filing a shorter pleading, Plaintiff filed a Second Amended Complaint
22 that was significantly *longer* than the prior version. The pleading is so long that
23 not even Plaintiff can keep track of which Defendants are in the case and are
24 named in which causes of action. He continues to incorporate by reference large
25 swaths of allegations in his SAC, and to use "Defendants" where he needs to
26 specify *which* Defendants he means. Plaintiff has twice before been granted
27 leave to amend, and the fact that Plaintiff has yet to make progress toward
28 complying with the District Judge's instructions—and in some respects, is *losing*

1 ground—would give the Court ample reason to deny leave to amend within the
2 exercise of its discretion.

3 Even so, the Court recommends that Plaintiff be given one more
4 opportunity to amend to comply with Rule 8. The standard for denying leave to
5 amend is a high one: a court may not dismiss a complaint without leave to
6 amend unless “it is absolutely clear that the deficiencies of the complaint could
7 not be cured by amendment.” *Akhtar*, 698 F.3d at 1212 (citation omitted); see
8 also *Lopez v. Smith*, 203 F.3d 1122, 1130 (9th Cir. 2000) (en banc) (district court
9 should grant leave to amend “unless it determines that the pleading could not
10 possibly be cured by the allegation of other facts”) (citation omitted). The Court
11 notes three reasons why the better course is to grant leave to amend under the
12 circumstances here.

13 First, the two prior dismissals were sua sponte and related only to Rule 8.
14 This time, Defendants’ Motions have provided additional feedback to Plaintiff,
15 not only as to why the SAC is deficient under Rule 8, but also as to specific
16 problems with specific claims and specific Defendants. The Court does not
17 suggest that Plaintiff is under any obligation to accept his opponents’ view of
18 either the facts or the law regarding his claims. At the same time, it would be
19 prudent for him to consider whether there is any truth in Defendants’
20 arguments; doing so might help Plaintiff streamline his presentation.

21 Second, this Report and Recommendation recommends dismissal of
22 certain aspects of the SAC with prejudice and without further leave to amend.
23 Plaintiff *must* comply with those instructions. That, too, should assist Plaintiff
24 in streamlining any amended complaint.

25 Finally, the Court notes—without making any findings of fact—that after
26 Plaintiff initiated these proceedings, the State Bar reportedly revoked PCL’s
27 registration and terminated PCL’s degree-granting authority based on PCL’s
28 alleged inability to sustain a compliant legal education program. (ECF 102 at

1 210-11.) The State Bar reportedly directed PCL to identify a custodian of record
2 to assist students and graduates with transcript requests, and noted its
3 readiness to assist PCL's remaining students who will not have completed their
4 legal education by May 31, 2024 (which presumably includes Plaintiff), in
5 finding placements to continue their legal education. (*Id.*) Without assuming the
6 truth of any of these facts, these developments may help Plaintiff focus his
7 allegations against PCL, and perhaps, against the State Bar Defendants as well.

8 The Court therefore recommends that Defendants' Motions to Dismiss the
9 Second Amended Complaint (ECF 58, 78, 88, 89, 92, 110, 122) for failure to
10 comply with Rule 8 be **granted** and that the Second Amended Complaint be
11 **dismissed with leave to amend**, except to the extent that the next sections
12 describe portions of the pleading as to which the Court recommends dismissal
13 with prejudice and without leave to amend.

14 **D. The Second Amended Complaint Should Be Dismissed for**
15 **Additional Deficiencies Which Plaintiff Cannot Cure**

16 The State Bar Defendants raise other arguments concerning the
17 sufficiency of Plaintiff's allegations. (ECF 88 at 10-12, 15-21.) Because the Court
18 generally recommends that leave to amend be granted, the Court notes the
19 following deficiencies (which cannot be cured and which should not be included
20 in any amended pleading).

21 **1. The State Bar's Eleventh Amendment Immunity**

22 The State Bar Defendants argue that many of the claims against the State
23 Bar itself, against its departments (*i.e.*, The Committee of Bar Examiners, the
24 Committee of State Bar Accredited and Registered Schools, the Office of General
25 Counsel, the Office of Chief Trial Counsel, and the Office of Admissions), and
26 against its employees acting in their official capacity, are barred by the Eleventh
27 Amendment. (ECF 88.) The Court agrees.

1 The Eleventh Amendment provides that the “judicial power of the United
2 States shall not be construed to extend to any suit in law or equity, commenced
3 or prosecuted against one of the United States by Citizens of another State.”
4 U.S. Const. amend. XI. The Eleventh Amendment bars federal jurisdiction over
5 suits by individuals against a State and its instrumentalities, unless either the
6 State unequivocally consents to waive its sovereign immunity or Congress
7 abrogates it. *Belanger v. Madera Unified Sch. Dist.*, 963 F.2d 248, 250 (9th Cir.
8 1992); *Pennhurst State Sch. & Hosp. v. Halderman*, 465 U.S. 89, 99-100 (1984).

9 The State Bar “is an arm of the state and entitled to sovereign immunity.”
10 *Kohn v. State Bar of Cal.*, 87 F.4th 1021, 1023, 1032-38 (9th Cir. 2023) (en banc)
11 (citations omitted), *petition for cert. filed*, ___ U.S.L.W. ___ (U.S. Mar. 7, 2024)
12 (No. 23-6922). Entities and committees under the umbrella of the State Bar
13 share its immunity. *Lupert v. Cal. State Bar*, 761 F.2d 1325, 1327-29 (9th Cir.
14 1985) (Eleventh Amendment barred federal suit against State Bar Board of
15 Governors and State Committee of Bar Examiners challenging the
16 constitutionality of State Bar rules for students enrolled at unaccredited law
17 schools).²

18 Plaintiff also purports to name the individual State Bar Defendants in
19 their official capacities. (See SAC at 2 (caption noting the individual State Bar
20 defendants are sued “as employees acting in official capacity or as
21 individuals.”).) Official capacity suits against state employees are the equivalent
22 of suits against the State. See generally *Kentucky v. Graham*, 473 U.S. 156, 166,
23 169-70 (1985). And as such, the Eleventh Amendment bars any claims for
24

25 ² The State Bar Defendants also argue that only the State Bar, and not its
26 departments, has the capacity to sue and be sued. (See ECF 88 at 10-11 (citing
27 Cal. Bus. & Prof. Code § 6001).) Given the Court’s finding that the Eleventh
28 Amendment bars Plaintiff’s claims against the State Bar and its committee and
departments, the Court need not decide this issue.

1 damages against such individuals. *See Will v. Mich. Dep't of State Police*, 491
2 U.S. 58, 71 & n.10 (1989) (noting limited exception to Eleventh Amendment
3 immunity, in that official-capacity actions for injunctive or declaratory relief for
4 allegedly unconstitutional state action are not treated as actions against the
5 State) (citing *Graham*, 473 U.S. at 167 n.14 and *Ex Parte Young*, 209 U.S. 123,
6 159-60 (1908)).

7 Eleventh Amendment immunity is not absolute. States (or arms of a
8 State) may be subject to suit in federal court if: (1) Congress enacts a law that
9 authorizes such a suit, or (2) the state consents to be sued in a federal forum.
10 *See Coll. Sav. Bank v. Fla. Prepaid Postsecondary Educ. Expense Bd.*, 527 U.S.
11 666, 670 (1999); *see also Pennhurst State Sch.*, 465 U.S. at 100 (“[I]n the absence
12 of consent a suit in which the State or one of its agencies or departments is
13 named as the defendant is proscribed by the Eleventh Amendment.”). The
14 question, then, is whether any of Plaintiff’s claims survive under those tests.

15 Here, Plaintiff purports to bring claims against “Defendants” (which may
16 or may not include individual State Bar defendants) under three federal
17 statutes: (a) 42 U.S.C. §§ 1981 and 1983 (Plaintiff’s Sixth, Seventh, Twelfth, and
18 Thirteenth Causes of Action), (b) Title IX (Plaintiff’s Twelfth and Thirteenth
19 Causes of Action), and (c) the civil RICO Act (Plaintiff’s Ninth Cause of Action).
20 (SAC at ¶¶ 344-70, 382-459, 533-57.)³ Apart from Title IX, none of the federal
21 laws on which Plaintiff relies authorizes Plaintiff’s suit, and the State has not
22 consented to be sued.

23
24
25 ³ Plaintiff also purports to bring claims under 18 U.S.C. §§ 241, 242, and
26 245. (SAC ¶¶ 558-68.) As detailed below, however, there is no private right of
27 action under the federal criminal statutes cited to by Plaintiff. Because those
28 claims fail for a more fundamental reason, the Court does not address whether
those claims are barred under the Eleventh Amendment.

1 First, Congress has not authorized suits against the States (or arms of the
2 State) under § 1981 or § 1983. *See Mitchell v. L.A. Cmty. Coll. Dist.*, 861 F.2d
3 198, 201 (9th Cir. 1988) (finding State entities immune from claims for damages
4 and injunctive relief under Sections 1981, 1983, and 1985). Nor has the State
5 consented to such claims. *Brown v. Cal. Dep't of Corrs.*, 554 F.3d 747, 752 (9th
6 Cir. 2009) (“The State of California has not waived its Eleventh Amendment
7 immunity with respect to claims brought under § 1983 in federal court, and the
8 Supreme Court has held that § 1983 was not intended to abrogate a State’s
9 Eleventh Amendment immunity.”) (citation and internal brackets omitted). As
10 such, Plaintiff’s § 1981 and § 1983 claims are barred by the Eleventh
11 Amendment. *See Ezor v. Betty Yee*, No. CV 23-00094-JVS (AGR), 2024 WL
12 947991, at *9-10 (C.D. Cal. Jan. 18, 2024) (dismissing § 1983 claims against the
13 State Bar and damages claims against the individual State Bar defendants in
14 their official capacities as barred under Eleventh Amendment), *report and*
15 *recommendation adopted*, 2024 WL 943440 (C.D. Cal. Mar. 5, 2024).

16 The civil RICO statute also does not authorize suits against States or
17 arms of States. *See Prod. & Leasing v. Hotel Conquistador, Inc.*, 573 F. Supp.
18 717, 720 (D. Nev. 1982) (“Without a clear showing that Congress intended
19 abrogation of the Eleventh Amendment governmental immunity, this Court will
20 not infer that the RICO Act deprives the State . . . of its protection.”), *aff’d*, 709
21 F.2d 21 (9th Cir. 1983); *see also, e.g., Behringer v. Cal. Polytechnic State Univ.*,
22 *San Luis Obispo*, No. 5:23-cv-00934-JFW (SK), 2023 WL 6811813, at *6 n.6
23 (C.D. Cal. Sept. 15, 2023) (noting “incurable” deficiency in complaint for alleging
24 civil RICO violation against state agency and state officer sued in official
25 capacity), *report and recommendation adopted*, 2023 WL 6810244 (C.D. Cal.
26 Oct. 16, 2023), *appeal filed*, No. 23-4162 (9th Cir. Dec. 14, 2023); *Vierria v. Cal.*
27 *Highway Patrol*, 644 F. Supp. 2d 1219, 1232 (E.D. Cal. 2009) (granting motion
28

1 to dismiss civil RICO claim asserted against state officer sued in his official
2 capacity).⁴

3 The Title IX claims are different: Congress *has* abrogated state sovereign
4 immunity for Title IX claims, and thus, there is no Eleventh Amendment bar to
5 Plaintiff's claim. *Stanley v. Trs. of Cal. State Univ.*, 433 F.3d 1129, 1133 (9th
6 Cir. 2006) (citation omitted). There appear to be other problems with the Title
7 IX claims,⁵ but Eleventh Amendment immunity is not such a problem.

8 As for Plaintiff's state law claims, those are also barred by the Eleventh
9 Amendment. *Cholla Ready Mix, Inc. v. Civish*, 382 F.3d 969, 973 (9th Cir. 2004)
10 (Eleventh Amendment "precludes the adjudication of pendent state law claims
11 against nonconsenting state defendants in federal courts"). Indeed, even *Ex*
12 *Parte Young*'s narrow exception for ongoing violations of federal law is
13 "inapplicable in a suit against state officials on the basis of state law"; "it is
14 difficult to think of a greater intrusion on state sovereignty than when a federal
15

16

17 ⁴ This is only one problem with alleging civil RICO claims against the State
18 Bar Defendants. As the State Bar Defendants point out, Plaintiff's RICO claims
19 against them also fail because government entities are incapable of forming
20 malicious intent necessary to sustain that cause of action. (ECF 88 at 12-13); *see*
21 *Pedrina v. Chun*, 97 F.3d 1296, 1300 (9th Cir. 1996) (quoting *Lancaster Comty.*
Hosp. v. Antelope Valley Hosp., 940 F.2d 397, 404 (9th Cir. 1991). That rule
extends to claims against individuals sued in their official capacities. *Abcarian*
v. Levine, 972 F.3d 1019, 1027 (9th Cir. 2020).

22 ⁵ Title IX bars sex-based discrimination by educational institutions in
23 certain settings. *See* 20 U.S.C. § 1681(a) (detailing prohibitions). The law
24 "reaches institutions and programs that receive federal funds, . . . but it has
25 consistently been interpreted as not authorizing suit against school officials,
26 teachers, and other individuals." *Fitzgerald v. Barnstable Sch. Comm.*, 555 U.S.
27 246, 257 (2009) (citations omitted); *Al-Rifai v. Willows Unified Sch. Dist.*, 469
28 F. App'x 647, 649 (9th Cir. 2012) ("Title IX does not create a private right of
action against school officials, teachers, and other individuals who are not direct
recipients of federal funding.") (citation omitted). Plaintiff's Title IX claims
name only individual State Bar defendants who cannot be sued under Title IX.
They also do not clearly allege discrimination on the basis of sex.

1 court instructs state officials on how to conform their conduct to state law.”
2 *Pennhurst State Sch.*, 465 U.S. at 106. Thus, all state claims against the State
3 Bar, entities under the State Bar, and individual State Bar defendants acting
4 in their official capacity are barred by the Eleventh Amendment. See *Konig v.*
5 *State Bar of Cal.*, No. C 04-2210 MJJ, 2004 WL 2091990, at *4 (N.D. Cal. Sept.
6 16, 2004) (holding that the California State Bar and state officials sued in their
7 official capacities were immune from suit for state law claims).

8 In sum, the Eleventh Amendment bars Plaintiff’s federal and state claims
9 against the State Bar and its departments, with the exception of a Title IX
10 claim—though to be viable, any Title IX claim would have to address the issues
11 noted in footnote 5. Claims for damages against individual State Bar
12 Defendants sued in their official capacities are likewise barred, as are all state
13 claims against individual State Bar Defendants sued in their official capacities.
14 Since amendment of any claim barred by the Eleventh Amendment would be
15 futile, the State Bar Defendants’ Motion to Dismiss (ECF 88) should be **granted**
16 **in part** as follows: (1) all claims against the State Bar and its committees or
17 departments, except for Plaintiff’s Twelfth and Thirteenth Causes of Action
18 based only on Title IX, should be **dismissed with prejudice** as the State Bar
19 Defendants have Eleventh Amendment immunity; (2) all claims against the
20 individual State Bar Defendants in their official capacity, except for Plaintiff’s
21 Sixth, Seventh, Twelfth, and Thirteenth Causes of Action to the extent they seek
22 declaratory or injunctive relief, should be **dismissed with prejudice** as these
23 Defendants have Eleventh Amendment immunity. The State Bar Defendants’
24 Motion to Dismiss (ECF 88) Plaintiff’s Twelfth and Thirteenth Causes of Action
25 based only on Title IX, and Plaintiff’s Sixth, Seventh, Twelfth, and Thirteenth
26 Causes of Action to the extent they seek declaratory or injunctive relief, should
27 be **denied**. The State Bar Defendants’ Motion to Dismiss (ECF 88) those
28

1 Defendants in their individual capacities, should be **denied without**
2 **prejudice.**⁶

3 **2. Plaintiff Fails to State a Claim for Relief for Admission to the**
4 **Federal Bar**

5 In the Sixth Cause of Action, Plaintiff seeks an “equitable remedy” of
6 Federal Bar admission based on alleged civil rights violations. (SAC ¶¶ 344-56.)
7 Plaintiff fails to state a claim for relief that any of the Defendants (or this Court)
8 can provide. Federal Bar admission is made on a court-by-court basis, and
9 generally is reserved for attorneys who are active members of the State bar in
10 good standing where the federal court is located. *See, e.g.,* Local Rule 83-2.1.2.1
11
12

13 ⁶ To the extent the individual State Bar Defendants are sued in their
14 individual capacities, these Defendants assert they are entitled to quasi-judicial
15 immunity or qualified immunity. (ECF 88 at 9.) Whether quasi-judicial
16 immunity applies hinges on “the specific function performed, and not the role or
17 title of the official” who performs it. *Miller v. Gammie*, 335 F.3d 889, 897 (9th
18 Cir. 2003). State bar officials generally are immune from monetary damages “so
19 long as they perform functions similar to judges and prosecutors in a setting like
20 that of a court.” *Hirsh v. Justs. of Sup. Ct. of State of Cal.*, 67 F.3d 708, 715 (9th
21 Cir. 1995). Quasi-judicial immunity does not extend to investigative activities.
22 *Delacruz v. State Bar of Cal.*, No. 16-cv-06858-BLF (SVK), 2017 WL 7310715, at
23 *3 (N.D. Cal. June 21, 2017), *report and recommendation adopted*, 2017 WL
24 3129207 (N.D. Cal. July 24, 2017). For qualified immunity, government officials
25 or employees performing discretionary functions are generally shielded from
26 liability for civil damage insofar as their conduct does not violate clearly
27 established statutory or constitutional rights about which a reasonable person
28 would have known. *See Harlow v. Fitzgerald*, 457 U.S. 800, 818 (1982); *see also*
Cnty. House, Inc. v. City of Boise, Idaho, 623 F.3d 945, 966 (9th Cir. 2010)
([“Q]ualified immunity covers only defendants in their individual capacities[.]”).
It is impossible to tell from the vague and rambling allegations in the Second
Amended Complaint whether any of the individual State Bar Defendants may
be entitled to quasi-judicial or qualified immunity. The District Judge should
decline to decide this issue on the present pleadings and deny the individual
State Bar Defendants’ motion to dismiss on this point without prejudice.

1 (limiting admission to the Bar of this Court to persons of good moral character
2 who are active members in good standing of the State Bar of California).

3 A party invoking federal court jurisdiction bears the burden of
4 establishing that the court has the authority to grant the relief requested.
5 *Kokkonen v. Guardian Life Ins. of Am.*, 511 U.S. 375, 377 (1994). Plaintiff cannot
6 do so here. Plaintiff admittedly is not a member of the State Bar, so the Court
7 is without authority to grant such relief.

8 The Court should **grant** Defendants' Motions to Dismiss Plaintiff's Sixth
9 Cause of Action on this basis. (*See, e.g.*, ECF 78 at 6, ECF 88 at 26.) The Sixth
10 Cause of Action should be **dismissed with prejudice** to the extent Plaintiff
11 seeks Federal Bar admission.

12 **3. Plaintiff Fails to State a Claim Under Criminal Statutes**

13 In his Fourteenth, Fifteenth, and Sixteenth Causes of Action, Plaintiff
14 purports to allege civil rights violations under 18 U.S.C. §§ 241, 242, and 245.
15 (SAC ¶¶ 558-68.) As State Bar Defendants properly argue (ECF 88 at 15), these
16 are criminal statutes—§ 241 concerns conspiracies to violate a person's Federal
17 rights, § 242 concerns willful deprivations of a person's constitutional or Federal
18 rights under color of law, and § 245 generally prohibits interference with certain
19 individual activities such as voting, applying for employment, and serving as a
20 juror. *See* 18 U.S.C. §§ 241, 242, 245.

21 None of these statutes provide for a private right of action. It is well
22 established that such criminal statutes provide no basis for civil liability. *See*
23 *Allen v. Gold Country Casino*, 464 F.3d 1044, 1048 (9th Cir. 2006) (addressing
24 §§ 241, 242); *Aldabe v. Aldabe* 616 F.2d 1089, 1092 (9th Cir. 1980) (same); *Miller*
25 *v. Farris*, No. CV 21-9551-SSS (AS), 2022 WL 17079056, at *8 (C.D. Cal. Oct.
26 17, 2022) (finding no basis for civil liability under all three sections and
27 dismissing such claims with prejudice), *report and recommendation adopted*,
28 2022 WL 17252580 (C.D. Cal. Nov. 28, 2022). "[U]nless a specific statute

1 provides for a private right of action, courts have found that violations of Title
2 18 are properly brought by the United States government through criminal
3 proceedings and not by individuals in a civil action.” *Banuelos v. Gabler*, No.
4 1:18-cv-00675-LJO-SAB, 2018 WL 2328221, at *3 (E.D. Cal. May 22, 2018).

5 For these reasons, State Bar Defendants’ Motions to dismiss Plaintiff’s
6 claims pursuant to 18 U.S.C. §§ 241, 242, and 245 should be **granted** and
7 Plaintiff’s claims alleging violations of 18 U.S.C. §§ 241, 242, and 245 should be
8 **dismissed with prejudice**.

9 **E. Other Issues with the Second Amended Complaint Which Can Be**
10 **Cured**

11 There are other issues with the SAC that can be cured. The Court
12 discusses those issues briefly here, to ensure that the SAC’s errors are not
13 repeated.

14 First, Defendant Gonzalez has moved to dismiss the Second Amended
15 Complaint for insufficient service of process under Rules 4(e) and 12(b)(5) of the
16 Federal Rules of Civil Procedure, alleging that she was mailed the summons
17 and complaint at her place of business. (ECF 78 at 7.) Once service has been
18 challenged, plaintiff bears the burden of establishing that service was valid.
19 *Brockmeyer v. May*, 383 F.3d 798, 801 (9th Cir. 2004). Rule 4 is a “flexible rule
20 that should be liberally construed so long as a party receives sufficient notice of
21 the complaint.” *United Food & Com. Workers Union v. Alpha Beta Co.*, 736 F.2d
22 1371, 1382 (9th Cir. 1984). At the same time, absent substantial compliance
23 with Rule 4, “neither actual notice nor simply naming the defendant in the
24 complaint” will suffice. *Benny v. Pipes*, 799 F.2d 489, 492 (9th Cir. 1986),
25 *amended*, 807 F.2d 1514 (9th Cir. 1987).

26 Defendant Gonzalez admits that she was mailed the summons and
27 complaint at her place of business, and that incoming mail is sorted by a
28 receptionist and/or office manager, but argues that (a) her business office is not

1 authorized to accept personal service for personal matters, and (b) her
2 employment is unrelated to her past volunteer services on PCL's Board of
3 Directors. (ECF 78 at 7; ECF 78-1 at 2.) Plaintiff, on the other hand, argues that
4 Defendant Gonzalez "timely retained counsel" and "acknowledges receipt of the
5 complaint"; he further alleges that he was unable to locate Defendant Gonzalez's
6 personal address and used her address from her State Bar listing for service.
7 (ECF 81 at 5-6.)

8 Under Rule 4(e)(1), service on an individual is sufficient if it is carried out
9 under the law of the state in which the district court is located or where service
10 is made, in this case California. *Motul S.A. v. USA Wholesale Lubricant, Inc.*,
11 No. 4:22-cv-04841-JSW, 2023 WL 5061945, at *2 (N.D. Cal. Aug. 8, 2023). The
12 California Code of Civil Procedure provides that:

13 If a copy of the summons and complaint cannot with reasonable
14 diligence be personally delivered to the person to be served . . . a
15 summons may be served by leaving a copy of the summons and
16 complaint at the person's . . . usual place of business . . . in the
17 presence of . . . a person apparently in charge of his or her office . . .
18 at least 18 years of age, who shall be informed of the contents
19 thereof, and by thereafter mailing a copy of the summons and of the
20 complaint by first-class mail, postage prepaid to the person to be
21 served at the place where a copy of the summons and complaint
22 were left.

23 Cal. Code Civ. P. § 415.20(b). Here, it appears that Plaintiff did not effect
24 personal delivery to a person in charge of Defendant Gonzalez's office as
25 required before mailing a copy of the Second Amended Complaint to Defendant
26 Gonzalez's place of business. But because the Court is recommending dismissal
27 of the Second Amended Complaint in its entirety, Defendant Gonzalez need not
28 be separately dismissed for failure to effect proper service. **Plaintiff is**

1 **cautioned, however, that he must effect proper service of any Third**
2 **Amended Complaint on Defendant Gonzalez.** Defendant Gonzalez' Motion
3 to Dismiss for insufficient service of process is **denied without prejudice as**
4 **moot.**

5 Second, in the caption for the Second Amended Complaint, Plaintiff
6 purports to act as "attorney-in-fact *guardian ad litem* to Roes 1-8." (SAC at 1.)
7 Pro se litigants have no authority to represent anyone other than themselves.
8 *See Simon v. Hartford Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008) (non-attorney
9 may not attempt to pursue claim on behalf of others in a representative
10 capacity).

11 Third, the Second Amended Complaint also purports to name 88 Doe
12 defendants. (SAC at 4 & ¶¶ 194, 527, 530.) Local Rule 19-1 limits the number of
13 Doe defendants a plaintiff can name to ten. (L.R. 19-1.) Additionally, Doe
14 defendants should not be used as a placeholder. If Plaintiff is aware of other
15 individuals who were involved but does not know their names, he may refer to
16 such defendants as John Does, but he "must allege specific facts showing how
17 each particular doe defendant violated his rights." *Keavney v. Cnty. of San*
18 *Diego*, No. 3:19-cv-01947-AJB-BGS, 2020 WL 4192286 at *4-5 (S.D. Cal. July
19 21, 2020) (citation omitted). If he simply believes that there may be other
20 individuals involved and that he may discover their existence during some later
21 phase of the case, he should remove the "John Doe" allegations and seek to
22 amend to add new defendants under Rule 15 of the Federal Rules of Civil
23 Procedure. *See Coleman v. Fed. Intermediate Credit Bank*, 600 F. Supp. 97, 101
24 (D. Or. 1984) (citing *Fifty Assocs. v. Prudential Ins. Co. of Am.*, 446 F.2d 1187,
25 1191 (9th Cir. 1970)).

26 Finally, the Court observes that Plaintiff is seeking attorney's fees.
27 Prevailing pro se litigants in civil rights actions may not recover attorney's fees.
28 *See Kay v. Ehrler*, 499 U.S. 432, 438 (1991).

1 Any Third Amended Complaint should correct these issues.

2 **F. Defendant Spiro's Request for Sanctions Should Be Denied**
3 **Without Prejudice**

4 Defendant Spiro seeks sanctions, purportedly under Local Rules 83-2.2.3,
5 83-2.2.4, and 83-7, in the form of a monetary sanction payable to the Court, and
6 an order preventing Plaintiff from filing further papers with the Court without
7 prior written permission. (ECF 58 at 19-20.) Local Rule 83-2.2.4 provides for
8 potential sanctions of dismissal or default judgment for a pro se plaintiff's
9 failure to comply with rules; whereas Local Rule 83-7 provides for monetary or
10 other "appropriate" sanctions if the Court finds that a party's conduct in
11 violating Local Rules was "willful, grossly negligent, or reckless." *Compare* L.R.
12 83-2.2.4 *with* L.R. 83-7. On the present record, it appears that Plaintiff's failed
13 attempts to file a complaint in conformity with the applicable rules do not at
14 this time merit sanctions. Defendant Spiro's request for sanctions (ECF 58)
15 should be **denied without prejudice**.

16 **G. Plaintiff's Motion to Dismiss Certain Defendants Without**
17 **Prejudice Should Be Denied as Moot**

18 Plaintiff has moved, without opposition, to voluntarily dismiss from the
19 case Imelda Santiago, Gina Crawford, Melanie Lawrence, and Juan De La Cruz
20 pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. (ECF 89.)
21 These Defendants allegedly are State Bar employees (SAC at 3 & ¶¶ 43, 48, 59),
22 and are included in the State Bar Defendants' motion to dismiss. (ECF 88 at 1;
23 *see also id.* at 10 n.6 (noting without objection that Plaintiff had advised he was
24 moving to voluntarily dismiss these defendants).)

25 The decision to grant a voluntary dismissal under Rule 41(a)(2) is in the
26 "sound discretion of the district court." *Navellier v. Sletten*, 262 F.3d 923, 938
27 (9th Cir. 2001). Given the recommendation that the Second Amended Complaint
28 be dismissed in its entirety for failure to comply with Rule 8, Plaintiff's Motion

1 to Dismiss these Defendants should be **denied as moot**; Plaintiff may simply
2 not include those individuals in any amended complaint.

3
4 **RECOMMENDATION**

5 **IT THEREFORE IS RECOMMENDED** that the District Judge issue an
6 Order:

7 (1) accepting and adopting this Interim Report and Recommendation;
8 (2) granting in part Plaintiff's Request for Judicial Notice (ECF 102), but
9 only as to the existence of the attached State Bar exhibits, and not as to the
10 validity or accuracy of the contents of these exhibits;

11 (3) denying Plaintiff's Second Request for Judicial Notice (ECF 106);
12 (4) granting in part the moving Defendants' Motions to Dismiss the
13 Second Amended Complaint (ECF 58, 78, 88, 89, 92, 110, 122), as follows:

14 (a) dismissing the Second Amended Complaint in its entirety for
15 Plaintiff's failure to comply with Rule 8;

16 (b) dismissing with prejudice all of Plaintiff's claims against the
17 State Bar and its committees or departments (except for Plaintiff's
18 Twelfth and Thirteenth Causes of Action based only on Title IX), because
19 these Defendants have Eleventh Amendment immunity;

20 (c) dismissing with prejudice all of Plaintiff's claims against the
21 individual State Bar Defendants in their official capacity (except
22 Plaintiff's Twelfth, and Thirteenth Causes of Action based only on Title
23 IX and his Sixth and Seventh Causes of Action to the extent those claims
24 may seek declaratory or injunctive relief), because these Defendants have
25 Eleventh Amendment immunity;

26 (d) dismissing with prejudice the Sixth Cause of Action to the extent
27 it seeks Federal Bar admission, as such relief is beyond this Court's
28 jurisdiction;

1 (e) dismissing with prejudice Plaintiff's Fourteenth, Fifteenth, and
2 Sixteenth Causes of Action under 18 U.S.C. §§ 241, 242, and 245, because
3 there is no private right of action under those statutes;

4 (5) otherwise denying the moving Defendants' Motions to Dismiss without
5 prejudice, including Defendant Gonzalez' Motion to Dismiss for insufficient
6 service of process; Defendant Spiro's request for sanctions; and the individual
7 State Bar Defendants Motion to dismiss based on quasi-judicial or qualified
8 immunity;

9 (6) denying as moot Plaintiff's Motion to Dismiss (ECF 89); and

10 (7) granting Plaintiff thirty days from the date of the District Judge's
11 order accepting the Report and Recommendation in which to file a Third
12 Amended Complaint remedying the deficiencies detailed herein.

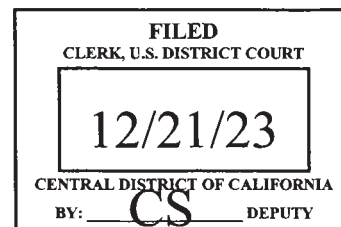
13
14 DATED: April 23, 2024



BRIANNA FULLER MIRCHEFF
UNITED STATES MAGISTRATE JUDGE

NOTICE

Reports and Recommendations are not appealable to the United States Court of Appeals for the Ninth Circuit, but may be subject to the right of any party to file objections as provided in the Local Civil Rules for the United States District Court for the Central District of California and review by the United States District Judge whose initials appear in the docket number. No notice of appeal pursuant to the Federal Rules of Appellate Procedure should be filed until the District Court enters judgment.



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IN PRO PER
4
5
6

7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA,**
9 **WESTERN DIVISION**

10	TODD R. G. HILL, individually, and as attorney-)	Case No.: 2:23-CV-01298-JLS-BFM
	in-fact, guardian ad litem to ROES 1-8,)	
11	Plaintiff(s),)	REQUEST FOR JUDICIAL NOTICE OF
	vs.)	FACTS AND ENTRY OF DOCUMENTS
12	)	UNDER F.R.E 201
13	THE BOARD OF DIRECTORS, OFFICERS)	
	AND AGENTS AND INDIVIDUALS OF THE ')	
14	PEOPLES OF THE COLLEGE OF LAW; et alia.)	The Hon. Josephine L. Staton
	Defendant(s).)	Courtroom 8A, 8th Floor
15	)	Magistrate Judge Brianna Fuller Mircheff
16	)	Courtroom 780, 7th Floor
17	)	
18	)	
19	)	
20	)	
21	)	
22	)	
23	)	
24	)	
25	)	
26	)	
27	)	
28	)	

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24 **Request for Judicial Notice of Facts and Entry of Documents**

25 Plaintiff Todd Hill requests that the following documents and facts be entered into the record
26 pursuant to Fed. Rule of Evidence. 201. The source of the documents is the California State Bar, a
27 government regulator of attorney discipline and legal education services. Caselaw supports the use
28 of judicial notice of government-compiled statistics, as well as official reports and publications

1 from agencies of the United States and state governments. Judicial notice under Rule 201 permits a
2 court to notice an adjudicative fact if it is "not subject to reasonable dispute." Fed. R. Evid. 201(b).
3 A fact is "not subject to reasonable dispute" if it is "generally known," or "can be accurately and
4 readily determined from sources whose accuracy cannot reasonably be questioned." Fed. R. Evid.
5 201(b)(1)–(2) (See *Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, 999 (9th Cir. 2018))

7 **Document Summaries**

8 The document "Action on Inspection Report, Probationary Status, and Termination of Registration -
9 Peoples College of Law" is a comprehensive review and report concerning the noncompliance of
10 Peoples College of Law (PCL) with the Unaccredited Law School Rules and Guidelines. This
11 document serve as a critical piece of evidence in support of facts for an F.R.C.P. 201 request for
12 Judicial Notice due to its detailed account of the law school's operational and educational
13 deficiencies, noncompliance issues, and the administrative actions taken in response. Here plaintiff
14 submitted and attached as EXHIBIT 201A, totaling 192 pages, and declares in conformance with 28
15 U.S.C. § 1746 that it is a true and accurate copy of the document.

16
17 The document titled "Committee of Bar Examiners Withdraws Registration of Peoples College of
18 Law Due to Noncompliance - The State Bar of California - News Releases" is a public statement
19 issued by the State Bar of California on December 14, 2023. Here submitted and attached as
20 EXHIBIT 201B, totaling 2 pages, and declares in conformance with 28 U.S.C. § 1746 that it is a
21 true and accurate copy of the document.

22
23 Because both documents were published on the State Bar's public website, the documents
24 themselves and the facts requested for notice facially meet the "public knowledge" requirement.
25
26
27
28

1 Outline of EXHIBIT 201A's structure and key content:

2 Title: Action on Inspection Report, Probationary Status, and Termination of Registration - Peoples
3 College of Law.

4 Date: The document is dated December 14, 2023.

5 Source: The Committee of Bar Examiners via the Office of Admissions.

6 Content Description:

7 Background:

8 Brief history of PCL, its programs, and focus on public interest law.

9 Summary of the procedural history regarding PCL's noncompliance and the authority informing the
10 committee's review.

11 Source Documents:

12 Lists the relevant documents evaluated by the committee, including various inspection reports,
13 annual progress reports, and committee meeting notes.

14 Circumstances Leading to Probationary Status:

15 Details the periodic inspections conducted by the State Bar, findings of significant noncompliance,
16 and the resulting actions, including the placement of PCL on probation.

17 Probationary Period and Continued Noncompliance:

18 Discusses the inspections during the probationary period, continued and newly observed
19 compliance issues, and the school's failure to address these issues effectively.

20 October 2023 Inspection Report Confirms Significant Compliance Gaps During Probation:

21 Highlights the critical compliance issues observed during the most recent inspection, including
22 problems with administrative oversight, communication with students, faculty oversight,
23 curriculum, and record-keeping.

1 Discussion and Staff Recommendation of Withdrawal of Registration and Termination of Degree-
2 Granting Authority:

3 Provides a detailed discussion of the law school's noncompliance, the staff's analysis, and
4 recommendations for immediate withdrawal of registration due to persistent noncompliance issues.

5 Attachments:

6 Includes the October 2023 Inspection Report, PCL's response to the inspection report, progress
7 reports, and additional relevant documentation.

8 Importance for Judicial Notice under F.R.C.P 201:

9 Comprehensive Evidence: The document provides a detailed account of PCL's compliance history,
10 inspections, findings, and administrative responses, making it a substantial and authoritative source
11 for the facts in question.
12

13 Official Source: As a report prepared and adopted by a committee responsible for overseeing legal
14 education compliance, its contents are official and carry the weight needed for judicial notice.
15

16 Specificity and Relevance: The document directly relates to the facts at issue concerning PCL's
17 noncompliance, offering precise and relevant information that supports a request for judicial notice
18 under F.R.C.P. 201.
19

20 Pursuant to Federal Rules of Evidence Rule 201, the undersigned respectfully requests the Court
21 take judicial notice of the following indisputable facts derived from the document titled "Action on
22 Inspection Report, Probationary Status, and Termination of Registration - Peoples College of Law":
23

24 Probationary Status: Peoples College of Law (PCL) was placed on probation by the Committee of
25 Bar Examiners effective December 2, 2022, due to its failure to maintain compliance with the
26 Unaccredited Law School Rules and Guidelines.
27
28

Continued Noncompliance: Despite being on probation, PCL continued to exhibit significant noncompliance in areas including, but not limited to, administrative oversight, faculty oversight, curriculum, student communication, and record-keeping, as detailed in the October 2023 Inspection Report.

Specific Compliance Issues:

Rule 4.241 Violations:

PCL consistently failed to provide accurate disclosures to students as required, with specific deficiencies in the disclosure process identified, including providing inaccurate or incomplete information.

Financial Safeguard Deficiencies:

PCL did not establish reasonable safeguards against financial fraud and improprieties as required by Guideline 2.2(C).

Failure in Timely Grade Submission:

PCL repeatedly failed to provide students with final grades within a reasonable time frame, contravening Guideline 2.9(E).

Inadequate Administrative and Faculty Oversight:

PCL's deans and administrators lacked the necessary experience and competency to ensure compliance and provide a sound legal education, as required by Guideline 4.2.

1 Recommendation for Withdrawal of Registration:

2 Based on the continued and significant noncompliance, the document concludes with a staff
3 recommendation for the immediate withdrawal of PCL's registration and termination of its degree-
4 granting authority.
5

6
7 These facts, as thoroughly documented in both EXHIBITS 201A and 201B are not subject to
8 reasonable dispute due to their nature and source. They are relevant and capable of accurate and
9 ready determination by sources whose accuracy in the specific context cannot reasonably be
10 questioned. Therefore, Plaintiff respectfully requests that the Court take judicial notice of these facts
11 under F.R.C.P. Rule 201:
12

13 **First Fact for Judicial Notice:**

14 The fact that Peoples College of Law (PCL) has consistently failed to provide accurate disclosures
15 to applicants and students before each academic term, as required by Rule 4.241 and California
16 Business and Professions Code section 6061.7(a). This non-compliance is despite the school's
17 attestation in its annual reports claiming compliance, detailed in EXHIBIT 201A.
18

19 The reliable source is the document titled "Action on Inspection Report, Probationary Status, and
20 Termination of Registration - Peoples College of Law" which discusses PCL's compliance issues in
21 detail. Specifically, the relevant excerpt is from the section titled "Withdrawal of Registration."

22 The specific fact and its source can be pinpointed to "Action on Inspection Report, Probationary
23 Status, and Termination of Registration - Peoples College of Law," found on pp. 3-5 of the
24 document.
25

26 The court should take judicial notice of this fact because it is not subject to reasonable dispute. The
27 fact is capable of accurate and ready determination by sources whose accuracy cannot reasonably be
28

1 questioned. It pertains to the official acts of the state-legislated branch performing its judiciary (the
2 regulatory actions and requirements stipulated by Rule 4.241 and California Business and
3 Professions Code section 6061.7(a)), and the school's non-compliance is documented in a formal
4 review process by the Committee of Bar Examiners. The school's own attestation, as required by
5 these rules and their consistent failure to meet them, is a matter of public record and not subject to
6 reasonable dispute. Copies of these records are included in the document issued by the State of
7 California's sole regulator in the sphere of legal education services leading to professional
8 licensure. This makes it an appropriate fact for judicial notice, aiding in the efficient and accurate
9 determination of matters before the court.
10

11
12 **Second Fact for Judicial Notice:**

13 Peoples College of Law (PCL) has consistently demonstrated noncompliance with the Unaccredited
14 Law School Rules and Guidelines across multiple areas as observed in both the 2020 and 2023
15 inspections. This includes issues with administrative oversight, faculty oversight, curriculum,
16 record-keeping, financial management, and student disclosures.
17

18 The source is the EXHIBIT 201A, "Action on Inspection Report, Probationary Status, and
19 Termination of Registration - Peoples College of Law" document, specifically the October 2023
20 Inspection Report and subsequent findings; specifically "Action on Inspection Report, Probationary
21 Status, and Termination of Registration - Peoples College of Law," October 2023 Inspection
22 Report, pp. 8-17
23
24

25 The facts are appropriate for judicial notice because they are derived from a detailed and official
26 report conducted by a State Bar inspection team, which is a reliable and authoritative body. The
27 extensive documentation of noncompliance over a period, including specific instances and overall
28

1 patterns of behavior, is not subject to reasonable dispute given its official nature and the detailed
2 documentation. These facts are relevant to the legal proceedings as they directly pertain to the
3 regulatory compliance of the institution in question, which is a matter of public concern and
4 regulatory oversight. Taking judicial notice of these facts will promote judicial efficiency by
5 acknowledging uncontested issues, thereby focusing the litigation on disputed matters.
6

7 **Third Fact for Judicial Notice:**

8 PCL has consistently demonstrated noncompliance with the Unaccredited Law School Rules and
9 Guidelines across multiple areas as observed in both the 2020 and 2023 inspections, including:
10

11 Noncompliance with Rule 4.241: Peoples College of Law (PCL) has demonstrated continued
12 noncompliance with Rule 4.241, which requires providing students with specific disclosure
13 statements before payment. Despite directives and audits, PCL has been slow to provide refunds
14 where due and has failed to maintain accurate and timely disclosures. This includes inaccuracies in
15 class schedules and exam pass rates provided to students.
16

17
18 Financial Safeguard Deficiencies (Guideline 2.2(C)): PCL lacks documented financial processes
19 and reasonable safeguards against financial fraud and improprieties. The school's treasurer, an
20 elected student position, has significant control over financial transactions without necessary
21 experience or safeguards in place. Additionally, financial documents are stored on Google Drive,
22 accessible to all committee members, which does not meet industry-standard data security practices.
23

24 Late Grade Submission (Guideline 2.9(E)): ~~PCL has consistently failed~~ PCL has consistently failed to provide students with
25 final grades within a reasonable time, as required by Guideline 2.9(E). Despite backup grading
26 processes, grades have been turned in late by at least one professor each quarter since 2020.
27
28

1 Inadequate Administrative and Faculty Oversight (Guideline 4.2): The current and interim deans of
2 PCL lack experience in law school administration and have not demonstrated the ability to oversee
3 curriculum development, examination, and grading effectively. There have also been significant
4 issues with faculty retention and accountability.

5
6
7 Insufficient Faculty Training and Development (Guideline 4.7): PCL does not have a written policy
8 for faculty training, and the existing Faculty Handbook was last updated in 2021. There is no
9 evidence of recent faculty training, indicating a lack of continual improvement in teaching skills and
10 subject expertise.

11
12 Inadequate Legal Education Program (Guidelines 5.1 and 5.2): The JD program at PCL lacks
13 coordinated planning and oversight, with course progression dictated more by volunteer faculty
14 availability than by a structured and comprehensive curriculum. This has resulted in last-minute
15 course cancellations and replacements, impacting students' academic progression and practical
16 training opportunities.

17
18
19 Additionally, judicial notice of this fact is appropriate because it falls directly within the purview of
20 Rule 201, which allows courts to take notice of facts not subject to reasonable dispute. The
21 document in question provides clear, specific, and official statements regarding PCL's actions and
22 the regulatory standards it failed to meet. This is not a matter of interpretation or subjective analysis
23 but a straightforward reporting of regulatory non-compliance, as documented by a regulatory
24 authority.

1 The nature of these facts, being related to the adherence to specific legal requirements and
2 regulations by an educational institution, is typically the type of information that is neither
3 controversial nor uncertain. The regulatory body's documentation is a reliable and authoritative
4 source that the court can depend upon for accurate information. This is especially pertinent in legal
5 matters where the compliance of an institution with specific legal and regulatory requirements is at
6 issue. By taking judicial notice of this fact, the court can streamline the proceedings by accepting
7 this uncontested issue as established, thus focusing on more disputed and substantive aspects of the
8 case.
9

10
11 **Outline of EXHIBIT 201B's structure and key content:**

12 Here, the facts requested for notice are precisely the type of information that Rule 201 is designed
13 to address. Facts that can be accurately and readily confirmed by a regulatory source, and its
14 acceptance into the record would contribute to the efficient and just resolution of the case.

15 Therefore, requesting the court to take judicial notice of PCL's documented failure to comply with
16 required disclosure regulations is both appropriate and advisable under the circumstances.
17
18

19 The second document, EXHIBIT 201B contains additional facts requested for Judicial Notice.

20 **Fourth Fact for Judicial Notice:**

21 The registration of the school and its degree grant authority were terminated after years of non-
22 compliance effective May 31, 2024.
23

24 EXHIBIT 201B is titled "Committee of Bar Examiners Withdraws Registration of Peoples College
25 of Law Due to Noncompliance - The State Bar of California - News Releases" is a public statement
26 issued by the State Bar of California on December 14, 2023. Here's an outline and description of its
27 contents:
28

1 Document Overview:

2 Title: Committee of Bar Examiners Withdraws Registration of Peoples College of Law Due to
3 Noncompliance.

4 Source: The State Bar of California - News Releases.

5 Date of Release: Thursday, December 14, 2023.

6 Document Identifier: Exhibit 201B.

7 Content Description:

8 Announcement of Action:

9
10 The State Bar of California Committee of Bar Examiners (CBE) voted to withdraw the registration
11 and terminate the degree-granting authority of Peoples College of Law (PCL), effective May 31,
12 2024. This decision comes after a 15-year history of compliance issues and repeated failed attempts
13 by PCL to achieve or sustain a compliant program of legal education.

14 Background of Noncompliance:

15
16 The document details the history of PCL's noncompliance, starting with a 2020 on-site school
17 inspection by the State Bar that found multiple issues. Despite the renewal of the school's
18 registration with conditions, PCL failed to fully address the compliance issues identified. From
19 January to May 2022, PCL was nonresponsive to queries on compliance and was formally served
20 with a notice of noncompliance in June 2022. Subsequently, the CBE placed the school on
21 probation in December 2022. However, over the last year, PCL failed to show sustained
22 compliance.

23 Statements from the State Bar:

24
25 The document includes a statement from Leah Wilson, State Bar Executive Director, emphasizing
26 the commitment to working with law schools to comply with legal requirements, protect the
27 interests and quality of education for California law students, and uphold consumer protection

standards. The document acknowledges the importance of PCL's history and its supporters but underscores the responsibility to protect consumers of legal education.

Consideration for Students:

While an immediate termination of registration was recommended, the CBE set the termination date at May 31, 2024, out of concern for the school's remaining seven students. It provides for the affected students to transfer to another school or participate in the State Bar's Law Office Study program, with the State Bar ready to assist in finding placements.

Diversity Concerns:

The document addresses concerns raised by PCL supporters regarding the diversity of the school's students. While acknowledging the importance of diversity in legal education, the State Bar notes the illusory promise of access suggested by registered law schools due to high attrition rates and low California Bar Exam passage rates.

Mission of the State Bar of California:

It concludes with a reminder of the State Bar's mission to protect the public, which includes licensing, regulation, and discipline of attorneys; advancing ethical and competent practice of law; and supporting greater access to and inclusion in the legal system.

EXHIBIT 201B's Importance for Judicial Notice:

This document is a formal public statement issued by an authoritative body, the State Bar of California. Its official nature and the specific details it provides about the actions taken against PCL make it an ideal candidate for judicial notice under F.R.C.P. Rule 201. The facts stated within are not subject to reasonable dispute due to their official and public nature and are directly relevant to any legal proceedings involving PCL's compliance and regulatory status.

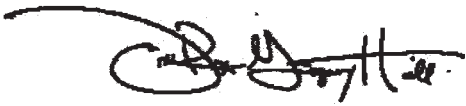
1 **Plaintiff's Proof of Service**

2 This section confirms that all necessary documents will be properly served in accordance with legal
3 requirements, ensuring that due process is maintained throughout the proceedings.
4

5 **Affirmation of L.R. 11-6.1 Compliance**

6
7
8 "The undersigned, Todd Hill, a pro se litigant, certifies that this brief contains 3,327 words, which
9 complies with the word limit of L.R. 11-6.1.
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13 December 21, 2023
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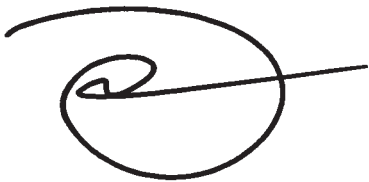
1 **SUPPLEMENTAL AFFIDAVIT STATEMENT & DECLARATION OF TODD HILL**

2 I, Todd Hill, under penalty of perjury and pursuant to 28 U.S.C. § 1746, hereby submit this
3 supplemental statement to clarify factual matters regarding the submissions of the attached
4 EXHIBITS, identified as EXHIBITS 201A and EXHIBITS 201B.

5
6
7 EXHIBIT 201A was obtained from the State Bar of California's website on December 14, 2024 and
8 is a true and accurate copy of the documents contents.

9
10 EXHIBIT 201B was obtained from the State Bar of California's website and is a true and accurate
11 copy of the document's contents.

12
13
14 Respectfully submitted this December 21, 2023,

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18 Todd R. G. Hill

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EXHIBIT 201A



The State Bar *of California*

OFFICE OF ADMISSIONS

**OPEN SESSION
AGENDA ITEM
DECEMBER 2023
COMMITTEE OF BAR EXAMINERS**

DATE: December 14, 2023

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst, Office of Admissions

Subject: Action on Inspection Report, Probationary Status, and Termination of Registration – Peoples College of Law

EXECUTIVE SUMMARY

The Committee of Bar Examiners (committee) ordered an inspection of Peoples College of Law (PCL) as a condition of the law school's probation to assess its current compliance with the Unaccredited Law School Rules and Guidelines. The committee can consider the October 2023 Inspection Report, along with all other information before the committee, to determine whether the law school has demonstrated adequate progress toward compliance, or the law school has not demonstrated sufficient progress in which case the committee may withdraw the law school's registration as an unaccredited law school.

The inspection took place on October 10 and 17, 2023. PCL received a copy of the October 2023 Inspection Report on November 17, 2023, and staff verbally advised the law school on November 28, 2023, that the staff memorandum would recommend withdrawing PCL's registration at the December 14, 2023, meeting because the law school is out of compliance with the Unaccredited Law School Rules and Guidelines and has not made adequate progress toward compliance, and that the withdrawal of its registration and termination of its degree-granting authority could be immediate. (Attachment A). PCL responded to the inspection report (Attachment B) on December 3, 2023, questioning some of the findings of the inspection report, and requesting either additional time to bring itself into compliance or to continue to teach its upper-level students while getting its first-year student through the First Year Law Students' Exam. Staff does not recommend either proposed alternative.

This action is before the committee following a warning issued to PCL in 2020, a Notice of Noncompliance issued in June 2022, and a period of probation which began on December 2, 2022. During the past twelve months, the law school provided monthly reports and received feedback from staff. The committee also received updates at each of its meetings in 2023, except for the December 1, 2023 meeting, since this meeting was taking place shortly thereafter.

In its response to the October 2023 Inspection Report, the law school acknowledges that it is not in compliance with many Unaccredited Law School Rules and Guidelines. (Attachment B, p.3).

Subsequent to the 2023 inspection, the law school timely submitted its November and December progress reports (submitted on November 1, 2023, and December 1, 2023, respectively). Because the law school failed to demonstrate sufficient progress toward compliance during the probationary period, including at the October 2023 inspection, which found continuing and newly observed compliance issues, and based on the most recent progress reports as well as PCL's admission that it is not likely to come into compliance soon, staff recommends immediate withdrawal of registration.

BACKGROUND

PCL is a registered, unaccredited fixed-facility law school that was founded in 1974. The school offers a JD program of study in Los Angeles, California. The law school specifically focuses on preparing students to practice public interest law. Volunteer faculty teach classes with support and leadership from both a full-time paid dean and a full-time paid administrator-registrar.

The following summarizes the procedural history of the law school's noncompliance with the Unaccredited Law School Rules and Guidelines as well as the authority informing the committee's review today.

SOURCE DOCUMENTS

The following documents are relevant to the committee's evaluation of the law school's noncompliance:

1. 2020 Periodic Inspection Report
2. 2020 Annual Progress Report
3. 2021 Annual Progress Report
4. 2022 Noncompliance Inspection Report
5. Monthly Probation Progress Reports, January 1, 2023 – December 1, 2023¹
6. October 2023 Inspection Report (Attachment A)

¹PCL will continue to file reports on the first of the month so long as probation continues.

7. 2023 committee meetings discussing the law school including public comment, and committee motions from meetings taking place in the following months: December 2022, March 2023, April 2023, June 2023, August 2023, October 2023

CIRCUMSTANCES LEADING TO PROBATIONARY STATUS

This section summarizes the inspection and compliance actions that culminated in the law school's current probationary status.

Periodic Inspection, January 2020

In 2020, a State Bar team performed a periodic inspection of PCL pursuant to Rule 4.244. The resulting 2020 Periodic Inspection Report included 23 recommendations documenting significant noncompliance issues. (See Item O-406, Committee of Bar Examiners Meeting, Aug. 21, 2020).

After reviewing the report, the committee renewed PCL's registration as an unaccredited fixed-facility law school but placed conditions on the renewal because it had observed a pattern in PCL's three most recent inspection reports (2009, 2014, and 2020) that indicated problems with maintaining compliance. All three inspections, including the 2020 inspection, contained a number of recommendations or findings of noncompliance which PCL addressed shortly after the inspection, sometimes before the committee considered the inspection report. In many instances, the issue would reappear by the next periodic inspection. In other instances, new significant issues of noncompliance were found. To ensure PCL continued to maintain compliance following its renewal of registration, the committee required PCL to meet the following additional conditions of monthly progress reports and an inspection in 2022.

First, the committee directed that "the school provide in each Annual Report a detailed update as to its compliance status with respect to each of the recommendations set forth in the [2020 Periodic Inspection Report] with the understanding that failure to demonstrate continuing compliance will result in the issuance of a Notice of Noncompliance." (See Item O-406, Committee of Bar Examiners Meeting, Aug. 21, 2020).

Second, the committee directed that the law school undergo another full inspection in 2022, rather than waiting the typical five years, to establish that the school maintained compliance with the Unaccredited Law School Rules and Guidelines. In so doing, the committee emphasized the need for the law school to demonstrate sustained compliance.²

2020 Annual Progress Report Demonstrates Progress Towards Compliance

The committee accepted PCL's 2020 progress report at the committee's June 18, 2021, meeting. (See Item O-402, Committee of Bar Examiners Meeting, Jun. 18, 2021; Item O-100, Committee of Bar Examiners June 2021 Meeting Minutes, Aug. 20, 2021).

² PCL received a Notice of Noncompliance before the 2022 inspection could take place. That notice evolved into a probationary order that included the requirement to undergo a final inspection during the probation period.

In the memorandum presented at that meeting, State Bar staff shared with the committee that, “while the school has made substantial progress in a short period, PCL must now demonstrate that the new policies, software, and staffing will be utilized to not only establish but also to proactively maintain continued compliance.” (Id.).

2021 Annual Progress Report and Compliance Issues

At the March 2022 committee meeting, the committee reviewed PCL’s 2021 Annual Progress Report and ordered the school to provide an updated 2021 Annual Progress Report within 30 days to fully address the compliance items identified in the 2020 Periodic Inspection Report with special emphasis on eight recommendations for which satisfactory responses had not been provided. (See Item O-406, Committee of Bar Examiners Meeting, Mar. 18, 2022; Item O-100, Committee of Bar Examiners March Meeting Minutes, Apr. 22, 2023). Those compliance items were related to the law school’s refund policy; a complete and accurate Catalog; providing students with components of course grades; grade review policies; changes to the school’s administrative capacity; academic advancement policies included in the school’s Catalog; course repetition requirements; and recordkeeping.

PCL was also directed to include response to all pending staff requests related to the following: Incorrect web disclosures posted pursuant to California Business and Professions Code section 6061.7(a); replacement of incorrect student Catalog that included noncompliant policies and handwritten notes in the posted document about policy changes that should be made; incorrect credit calculations for quarter courses; and transcripts that did not indicate whether courses were offered in semesters or quarters.

Since the law school had been advised about these issues previously, 30 days appeared to be sufficient time to complete the tasks. While PCL paid the invoice that accompanied the order, suggesting that the law school was aware of the committee’s order, PCL did not file the updated Annual Progress Report or address the outstanding staff requests, and did not provide an explanation.

Notice of Noncompliance, June 2022

At its June 17, 2022, meeting, the committee issued a Notice of Noncompliance to PCL based on the compliance issues raised since the January 2020 inspection and the law school’s failure to respond to its March 2022 order. (See Item O-406, Committee of Bar Examiners Meeting, Jun. 17, 2022; Item O-100, Committee of Bar Examiners June Meeting Minutes, Aug. 19, 2022). The Notice advised PCL that the committee would seek probation or withdrawal of registration if the law school did not establish that it was in compliance with the Unaccredited Law School Rules and Guidelines.

Noncompliance Inspection and Review of 2022 Noncompliance Inspection Report, September and October 2022

In August 2022, the committee reviewed PCL's written response to the Notice of Noncompliance as well as public comment from the law school and found PCL's response to be unsatisfactory. As a result, the committee directed that a follow-up noncompliance inspection be scheduled within 30 days, as required by Rule 4.262(B). (See Item O-406, Committee of Bar Examiners August Meeting, Aug. 19, 2022; Item O-100, Committee of Bar Examiners Meeting Minutes, Oct. 14, 2022).

A State Bar team inspected the law school on September 12, 2022. The inspection team included committee member Dr. Don Wilcoxson and State Bar staff Audrey Ching, Shekhar Dubbani, and Natalie Leonard. The inspection team met with PCL's Board President, registrar, and general counsel.

At the October 2022 committee meeting, staff reported that the inspection team “did not find evidence to satisfy it that the law school has the framework in place to sustain compliance,” and recommended that the committee withdraw the law school’s registration as an unaccredited law school or impose probation if it did not withdraw registration. (See Item O-401, Committee of Bar Examiners Meeting, Oct. 14, 2022).

The team found that some recommendations addressed in the 2020 Inspection Report were addressed and sustained, but several material issues observed in 2020 resurfaced and the law school did not demonstrate a sufficient plan to prevent them in the future. Specifically, the law school did not appear to have a system to ensure that disclosures and documents remained updated, the accessibility and competence of the leadership was an issue, and grading issues were identified.

The committee reviewed the 2022 Noncompliance Inspection Report, as well as PCL's response to the inspection report, and determined that PCL was not or was not likely to be in compliance with the Unaccredited Law School Rules and Guidelines. The committee advised PCL that it planned to pursue either probation or withdrawal of PCL's registration as an unaccredited law school at its December 2022 meeting. (Rule 4.263). (See Item O-401, Committee of Bar Examiners Meeting, Oct. 14, 2022; Item O-100, Committee of Bar Examiners December Meeting Minutes, Dec. 2, 2022).

PROBATIONARY PERIOD AND CONTINUED NONCOMPLIANCE

Probation Period Begins, December 2022

In December 2022, the committee considered withdrawal of PCL's registration, but ultimately ordered a term of probation.

In placing the school on probation, the committee made clear that the law school would be required to demonstrate adequate progress toward compliance during probation or its registration as an unaccredited law school would be withdrawn (See Item O-400, Committee of Bar Examiners Meeting, Dec. 2, 2022; Item O-100, Committee of Bar Examiners December Meeting Minutes, Jan. 27, 2023). PCL's probationary conditions included both submitting

monthly progress reports addressing its compliance and undergoing an inspection to further assess its compliance, in order to clearly identify the law school's results in achieving and sustaining compliance. (See Item O-100, Committee of Bar Examiners December Meeting Minutes, Jan. 27, 2023).

Review of the monthly reports revealed that the school remained out of compliance, and new areas of noncompliance were observed almost immediately. Examples include: defective Rule 4.241 disclosures and the failure to provide timely refunds as required; the school's failure to provide a fourth year of classes for a student for approximately one year and minimal communication with the committee or student regarding that coursework once it was available; the school's failure to implement meaningful faculty evaluations; the school's failure to ensure timely delivery of grades; failure to record some classes on student transcripts; incomplete student and faculty files; incomplete student files; and other administrative issues.

Inspection, October 2023

In August 2023, the committee ordered that PCL's probationary inspection be scheduled. (See Item IV.E, Committee of Bar Examiners Meeting, Aug. 18, 2023; Item I.B, Committee of Bar Examiners August Meeting Minutes, Oct. 13, 2023).

Because PCL had been providing monthly progress reports, the committee allowed the law school to forego completing a self-study, and, instead, required only the return of a State Bar document request.

Consistent with the terms of probation, a State Bar team inspected PCL on October 10 and 17, 2023, and produced the report outlined in Attachment A. The team included: consultant Heather Georgakis; Committee of Bar Examiners' Member and former Educational Standards Chair Jim Efting; and State Bar staff members Theresa Solenski and Cody Hounanian. The report documents that many previously observed noncompliance issues persist, PCL's efforts to achieve compliance have not produced sustained compliance, and newly-observed noncompliance issues have emerged.

Critical compliance issues and relevant observations noted in the October 2023 Inspection Report are included in the section below titled "October 2023 Inspection Report Confirms Significant Compliance Gaps During Probation."

The law school's response to the October 2023 Inspection Report is provided in Attachment B.

EVALUATION PROCESS

At least thirty days before probation expires, the committee must evaluate whether sufficient progress has been made toward compliance or whether it will proceed to withdraw the law school's registration. (Rule 4.267). PCL's probationary order expressly "reserves the right to terminate this probation prior to its scheduled conclusion if the law school fails to make or

sustain adequate progress.” While the committee ordered that PCL be placed on probation through May 30, 2024, the committee may take action at this time.

Withdrawing PCL’s registration as an unaccredited law school is appropriate if PCL is not in compliance and has not made or sustained perceptible and adequate progress toward compliance with the Unaccredited Law School Rules and Guidelines. (Rule 4.266(B)). (See Item O-400, Committee of Bar Examiners Meeting, Dec. 2, 2022; Item O-100, Committee of Bar Examiners December Meeting Minutes, Jan. 27, 2023). If doing so, the committee should identify a date upon which the registration will be withdrawn, and degree-granting authority of the law school will terminate.

DISCUSSION

Because of the seriousness of this issue, and the volume of information the committee has evaluated to date and that is presented in this agenda item, the discussion section is organized in a manner intended to provide clarity on the staff recommendation and assist the committee in putting the myriad pieces together and understand the overall context.

The first part of the discussion section presents the staff recommendation. This is followed by the key compliance issues identified that led to this recommendation.

STAFF RECOMMENDATION OF WITHDRAWAL OF REGISTRATION AND TERMINATION OF DEGREE-GRANTING AUTHORITY

Staff recommends immediate withdrawal of registration due to the many noncompliance issues preceding the probation period and persisting throughout the probation period. These noncompliance issues were observed during the October 2023 inspection, as well as the review of the law school’s progress reports, and the law school acknowledged its current noncompliance in its response to the October 2023 Inspection Report, despite assertions that progress has been made in the last two months. Neither the inspection report, nor the school’s response, demonstrates that the school will be able to achieve and sustain compliance within any reasonable period of time. The most significant issues are summarized below and many are discussed further in the attached 2023 Inspection Report.

In response to the 2023 inspection report, PCL acknowledges that compliance issues persist stating, “PCL is well aware that its operational model is not in conformity with the strict letter of the Rules the CBE [committee] seeks to enforce.”³ (Attachment B, p. 3). PCL also admits that the inspection team’s assessment is fair and that as of September 2023, there were “many issues that PCL needed to overcome to remain in operation.” (Attachment B, p. 4). While PCL notes its recent efforts toward compliance, it also acknowledges that significant additional changes are needed and that its status as on probation with the State Bar has been 5, arguably even 15, years in the making. (Attachment B, p.5).

³ The next sentence advises that the law school, even now, “is endeavoring to modify its operations so that it is in substantial conformity with the Rules governing its functions,” rather than full compliance. (Attachment B, p. 3).

Elsewhere in the law school's response, it refutes the October 2023 Inspection Report's findings or describes actions taken after the inspection. However, the law school failed to provide evidence of adequate response to the significant compliance issues that the committee must assess when determining whether to withdraw the law school's registration.

For example, in response to the inspection report's finding that PCL failed to comply with disclosure requirements pursuant to Rule 4.241, the law school referenced actions taken after the October 2023 inspection and questioned whether the rule requires students to return signed disclosure statements. Later, in this report the section "PCL Has Not Fully Addressed Defects Related to its Rule 4.241 Disclosure, Justifying Withdrawal of Registration" describes the circumstances of the law school's noncompliance in more detail including the law school's practices and interactions with the State Bar over several years which are at odds with their recent response.

In another example, the law school disagrees with the inspection report's finding that the law school does not comply with Guideline 4.2 which requires a law school to have a competent dean and faculty devoting adequate time to administration, instruction, and academic counseling. The law school argues that the interim dean is experienced, that former leadership's failures are the cause of compliance issues, and that the current administrator is proficient. However, later in this report the section "Insufficient Staff and Volunteer Capacity" describes in more detail how the law school's current staffing is part of an ongoing pattern of capacity challenges and leadership changes that have resulted in persistent and continuing compliance issues.

During the probationary period, the law school has provided monthly updates, and also received feedback from staff nearly every month, and from the committee at each of its meetings in 2023, except the December 1, 2023, meeting. Despite this level of review, the law school admits that compliance issues remain, and important committee directives have not been fulfilled or were not fulfilled timely.

Given the number and severity of the compliance issues that persist, notwithstanding the school receiving repeated notice and opportunity to cure the deficiencies, staff recommends immediate withdrawal of registration.

While the law school requests additional time to come into compliance, it is not recommended due to the length of time it has already been afforded to correct these issues. Absent additional time, the law school requests the ability to continue to teach through spring 2024, with its current upper-level students attending through graduation (spring 2025) and its first-year student at least through the end of their first year (spring 2024), but the severity and number of compliance issues jeopardizes students' ability to receive a sound legal education. Students may be better served by attending a compliant institution.

October 2023 Inspection Report Confirms Significant Compliance Gaps During Probation

The October 2023 Inspection Report set forth in Attachment A identifies issues in at least sixteen of the areas of noncompliance observed at the 2020 inspection and for which the committee recommended certain actions to achieve compliance. The report also identifies at least nine compliance issues newly observed at the time of the 2023 inspection.

Ultimately, the inspection report states that the law school is not compliant with Rule 4.240 (N) which requires a law school to demonstrate compliance with committee requirements. The report summarizes the many compliance issues into the following categories:

1. **The law school has been unable to assemble a team of volunteers and paid staff with the experience and capacity to establish and sustain compliance:** Noncompliance with Guideline 3.1 was observed in 2020 and again at the October 2023 inspection. The October 2023 Inspection Report also identifies noncompliance with Guideline 4.2.
2. **PCL lacks appropriate administrative oversight to ensure a quality legal education for its students:** Noncompliance with Guidelines 5.17, 5.18, and 5.25 was observed in 2020 and again in 2023.
3. **The school lacks honest communication with its students and prospective students:** Noncompliance with Guidelines 2.2(B), 2.3, and 9.1 was observed in 2020 and again in October 2023. New compliance issues related to Rule 4.241 were documented in the recent inspection report.
4. **PCL lacks sound faculty oversight:** Noncompliance with Guidelines 4.8 and 4.9 was observed in 2020 and 2023. New issues related to Guideline 2.9(E) were documented in the October 2023 Inspection Report.
5. **PCL's curriculum does not provide a sound legal education.** In 2020 and 2023, noncompliance with Guidelines 2.3, 2.9(C), 3.1, 5.3(A), 5.8, 5.9, and 5.25 was observed. Noncompliance with Guidelines 5.1 and 5.2 was documented in the October 2023 Inspection Report.
6. **The school's record-keeping process is inadequate:** Noncompliance with Guidelines 2.11, 5.8, and 9.1 was observed at both the 2020 and 2023 inspections. New compliance issues related to Guideline 2.2(C) were documented in October 2023.

The committee is encouraged to adopt the October 2023 Inspection Report in full, finding that the law school is not in compliance and not likely to come into compliance with the Unaccredited Law School Rules and Guidelines, constituting a failure to meet the terms of the law school's probation.

While the law school has taken some steps since the inspection and considered further action, this mirrors its past pattern in which it responds only as State Bar action is imminent.⁴

PCL REMAINS NONCOMPLIANT IN MANY SIGNIFICANT RESPECTS

⁴ Subsequent to the inspection, the law school reported that it sought legal review of its testing accommodation policy, and that it had also changed certain policies regarding attendance, but those changes do not appear to be compliant because they still do not require students to attend at least 80 percent of regularly scheduled classes.

As a result of its history and falling out of compliance, the committee directed PCL to ensure that compliance was not transitory but was sustained. During the probationary period, PCL was found to be noncompliant in several significant ways, including:

PCL Has Not Fully Addressed Defects Related to its Rule 4.241 Disclosure, Justifying Withdrawal of Registration

Unaccredited law schools must provide accurate disclosures to applicants and students before each academic term and post certain other disclosures on their websites, pursuant to Rule 4.241 and California Business and Professions Code section 6061.7(a). PCL has not done so consistently, despite signing the following attestation as part of each of its annual reports (Attachment E):

I certify on behalf of the law school that during the 52 weeks ending September 15, each new student who paid an application fee to the law school, and each returning student, prior to the payment of any fee for an academic term, was provided with a current copy of a student disclosure statement that complied with the requirements of Section 6061 of the California Business and Professions Code and the applicable provisions of Rule 4.241 of the Unaccredited Law School Rules (effective on and after January 1, 2008). I certify that each such student signed such a student disclosure statement and that each student was provided with a copy of his or her signed statement. I further certify that a signed copy of each student's disclosure statement that was signed was placed in the student's file, as required by Guideline 9.1(C) of the Guidelines for Unaccredited Law School Rules.

Defects in PCL's process were first identified by the State Bar in December 2022. Since then, PCL has provided refunds owed to students who did not receive Rule 4.241 Disclosures during the 2022-2023 school year, but PCL has not completed the process for reviewing and providing refunds for the period of 2020-2022 and has not advised when it will do so. Initially, PCL set a completion deadline of September 25, 2023, later delayed to October 20, 2023.

While the school acknowledges, in its response to the October 2023 Inspection Report, that it has not always complied with the attestation above, the law school now adopts a different understanding of the requirements and questions their obligation to provide refunds to students. This understanding conflicts with the procedures the law school used to evaluate students' eligibility for a refund during the 2022-2023 school year. (Attachment C, p. 16). The law school took over six months to issue refunds related to the 2020-2023 school year and a review of the prior two school years is still in process.

It remains unclear how many students are owed refunds. (Attachment B, p. 16-17). Specifically, the December 2023 progress report shows, by the law school's own count, that the school does not have signed Rule 4.241 Disclosures for at least 37 individuals for at least one term for the period of 2020-2022. Thus, as many as 37 individuals may be owed refunds. Only one student appears to have been issued a refund for that period so far.

Currently, PCL's disclosure process requires students receive and sign a Rule 4.241 Disclosure before making a payment. However, the law school's disclosure also includes optional information asking the students to certify that they have received materials that have not been provided. For example, in late August 2023, students were asked to confirm that they had received their schedule for the fall quarter starting on September 5 as part of the disclosure. However, the schedule was incomplete with the times for each course not listed. Also, no course had a syllabus, one course title was listed with the nondescript title "Elective," and professors were not identified because the law school stated it was still recruiting instructors. (Attachment A).

If a school fails to comply with Rule 4.241, it must issue refunds to affected students. Additionally, the rule makes clear that a violation of the rule is grounds for withdrawal of registration.

2023 Annual Report Late

PCL's Annual Report, required by Rule 4.242, remains overdue since November 15, 2023 at the time of the posting of this memorandum. When PCL did not provide its report on November 15, staff contacted the law school on November 16 to determine its status. The interim dean advised that the report would be provided on November 24, but it was not provided. On November 28, the interim dean advised staff verbally that PCL hoped to provide the report by December 1 but could not commit. On December 10, PCL paid the annual fee and advised that the report would arrive at the State Bar on Tuesday, December 12, which is after the posting of this memorandum. Staff will provide an update at the meeting.

While the rules do specify a late fee, this does not excuse the school's failure to timely file the report.

While the Annual Report is needed for standardized reporting and regulation, it is data not needed to assess the law school's compliance at this meeting. This is because the Annual Report covers the 52-week period ending September 15, 2023, and PCL has provided more recent updates of its status through the October 2023 inspection and progress reports submitted in October, November, and December 2023.

Insufficient Staff and Volunteer Capacity

Since 2020, staff and the committee have urged the law school to adequately staff the school to ensure that it can provide a sound education for students and achieve and maintain compliance with the Unaccredited Law School Rules and Guidelines. The law school's 2023 inspection report response (Attachment B, p. 3, 23) continues to cite PCL's small staff and use of volunteer faculty as a defense to noncompliance.

The concern about staffing was repeated in the staff memorandum that was presented to the committee in December 2022. The staff memorandum advised the committee that the law school should include enough capacity to account for vacations, illness, and turnover. The law school admits that it struggles to meet its obligations due to having a small staff and faculty

that are unpaid and not under contract. Regardless, the school – whatever its size and staffing model – must comply with the registration requirements. The school cannot be excused from complying with the Unaccredited Law School Rules and Guidelines due to staffing changes or delays attributable to volunteers and a small number of paid staff.

Despite this guidance, the law school did not engage sufficient staff and volunteers, noting in its inspection response that, “PCL was faced with the difficulties of ironing out its untidy practices, while, at the same time, converting from an onsite educational facility to a vicarious teaching environment facilitated through classes conducted via Zoom. This double-edged sword proved far too difficult for PCL to maintain.” (Attachment B, p. 3).

The October 2023 Inspection Report cites the limitations of volunteer faculty and staff and other capacity issues as elements related to noncompliance with Guidelines 2.9(E), 4.2, 5.2(H), and 5.11. (Attachment A).

It is also unclear who is currently leading the law school. At the October 2023 inspection, the law school advised that Dean Edith Pomposo was on leave but remains the law school’s dean. PCL has not notified the State Bar otherwise, but the law school’s 2023 inspection report now states that she left abruptly in September. No formal notice has been provided to the State Bar as to whether this has occurred or why the law school changes its position. Interim Dean Ana Maria Lobos continues to lead the law school since late September 2023.

The law school also still does not recruit for the skills it needs. Community Board members are elected regardless of qualifications, including the treasurer. Neither the current dean nor the administrator has experience in higher education; the dean has limited experience as a licensed attorney. Faculty turnover is frequent, yet the last documented training for faculty was in March 2022.⁵

Staff does not have reason to believe that the performance of any particular dean or the replacement of any particular staff member would result in compliance. This is evidenced by the fact that each of the three most recent deans (two were short term interim deans) has suggested new leadership will yield compliance with the Unaccredited Law School Rules and Guidelines if they are given the time to do so. However, none have led the school into sustained compliance.

The law school’s structure and processes have not been sufficient to provide an orderly and sound education. While staffing changes may exacerbate these issues, noncompliance remains systemic. (Attachment A).

Frequent Curriculum Changes

⁵ That faculty training allotted one minute for the discussion of the importance of submitting timely grades when the law school has had a history of receiving grades late.

The law school is not following its own curriculum plan. Its inspection response includes an email exchange with a student advising that an Evidence course will be offered in the fourth year, while the curriculum plan suggests it should be offered in year two or three.⁶

The law school posted a partial curriculum plan in August which does not match the posted plan.⁷ Course curriculum and class days were changed in September without notice due to staff changes. The winter quarter classes were also changed just prior to the start of the term.

Privacy Concerns and Digital Safeguards

Student members of PCL's Community Board may review student petitions for disability accommodation if the student consents. At the inspection, the law school advised that students do not participate in the accommodations process, but the law school's December 1, 2023, monthly progress report indicates that they do participate if the petitioner consents. Given that there are six student spots on the Community Board and seven students total, this challenges the law school's ability to maintain student privacy.

The law school has been digitizing its files and storing them in Populi, but this process is not complete after nearly three years and no completion date has been provided. (Attachment C, p. 37-38).

PCL does not appear to have documented financial processes with stated safeguards as required by Guideline 2.2(C). For example, PCL does not appear to train staff on security and there appears to be no documentation on safeguards such as regularly scheduled audits and routine back-ups of financial records. In addition, the October 2023 inspection report noted that some financial files are readily available on a Google Drive to all Community Board members, even those without financial responsibilities, and without permission controls that would provide a reasonable safeguard as required by Guideline 2.2(C).

Also, PCL issued W-2 forms to at least one staff member at least eight months late. PCL sent the employee their own W-2 form along with several other employees' W-2 forms which contained confidential information. (Attachment G).

Finances Appear Insufficient

Expenses significantly exceed revenues at the law school, and by its own budget forecast, the law school may be unable to fund its operations beyond 2026. These projections do not take into account rent paid once the building is sold, loss of rental income, or the reality that the law school has not been able to secure a replacement building at its target price, while the deadline to close escrow in May 2024 is rapidly approaching. The law school's student body would need

⁶ PCL advises that the course dropped was trial advocacy. The course curriculum plan suggests that evidence should have been offered and at least one student in the student meeting expected evidence to be offered.

⁷ The original curriculum plan also contained other anomalies. For example, the 2023-2024 curriculum originally contained five quarters of Family and Criminal Law Internship. In addition, at least one of the two faculty members assigned to teach Multistate Bar Exam class was not a licensed attorney.

to grow significantly to break even if tuition is not raised based on the school's own calculations. (Attachment A).

In response to the October 2023 Inspection Report, PCL characterizes its budget forecast as being able to support the law school's "abilities to teach out [its] current upper division students and support our current 1L in taking the FYLSX before potentially transferring."

Also, On November 16, 2023, a loan broker copied the State Bar on an email advising that the law school had not paid his referral fee invoice on August 24, 2023, and had not responded to several additional attempts to collect the payment, characterizing it as "way overdue." (Attachment F).

Complaints are High

Last year's entire first-year class did not enroll for a second year, and enrollment continues to decline as the school's expenses rise.

Five students have contacted the State Bar with complaints over the last two years, and many of these complaints could have been resolved quickly or prevented with prompt responses from the law school. The October 2023 Inspection Report recounts several complaints, including one related to the law school's implementation of its disability accommodations policy. (Attachment A). Other complaints received by the State Bar relate to the law school's failure to provide students with diplomas, incomplete disclosures, and failure to provide a student with a fourth year of study. An employee contacted the State Bar because they did not receive their W-2 forms, while at least one former employee filed a lawsuit against the school regarding the conditions of their employment.

While the school aims to be a valuable asset to the community, its poor outcomes and disorganization undercut those goals.

Facility Plans are Unclear

PCL is currently operating in the building it has historically owned, but the law school has entered escrow to sell the building and close the transaction by May 2024. After that date, the law school indicated that it may purchase a different building or lease back space at its current location to teach classes if and when the building sale is complete, but it has not entered into a lease or purchase contract to do so, or filed a complete request for a major change of administrative headquarters as required by Rule 4.245.

PCL's building suffered a fire in 2017. While insurance proceeds and a bequest were received, repairs did not take place until August 2023, after the law school entered into a contract for the sale of the building in June 2023, with escrow to close by May 2024.

In March 2020, when the law school requested to teach classes online temporarily due to the pandemic, the state of the building was not listed as a factor. (See Item O-400, Committee of Bar Examiners Meeting, March 20, 2020).

Ability to Provide a Sound Educational Program

There are a number of issues that relate to the law school's ability to provide a sound education. Taking the fall and winter 2023 quarters as an example, there appear to be number of issues. Regarding fall quarter 2023, one course was listed nondescriptly as "Elective" less than two weeks before the quarter began. Another course lacked a syllabus as of the first night of class. A final course was cancelled and replaced by another during the first week of class, and the nights on which courses were held was changed after the semester began to accommodate the new professors.

In the two months prior to the start of the winter quarter on November 27, 2023, the courses scheduled to be offered to students changed twice. Despite the large number of changes, Evidence is not offered this year, leaving students unable to participate in the Practical Training of Law Students program during their internships.

The original schedule prepared for the school year included five sessions of Family and Criminal Law Internship which appears to conflict with the school's cluster schedule. Despite the school's cluster and rotation plan, the October 2023 inspection team observed that courses are offered on an ad hoc basis depending upon who is available to teach, rather than according to a coordinated plan, and that review of subject matter, syllabi, exams, and grading appears ad hoc as well. The law school acknowledges in its response to the inspection report that the law school has "previously failed to provide proper oversight" and that "faculty requires more direction and guidance." (Attachment B).

RECOMMENDATION

While on probation, PCL has remained out of compliance in fundamental and serious ways as documented in the law school's October 2023 Inspection Report. The law school has also not fully complied with the terms of probation set by the committee. Prior to all of the committee meetings held during the law school's probation to date, staff has been required to contact the law school for additional information because the committee-mandated monthly progress reports have been incomplete or failed to fully address the compliance issues identified. This has required significant staff time to get an accurate picture of the school's progress toward compliance.

Taking all facts and circumstances into account, staff recommends that the committee adopt the October 2023 Inspection Report in full and find that the law school is not in compliance with the Unaccredited Law School Rules and Guidelines and has not made adequate progress towards compliance during its probation as evidenced by the findings in the inspection report.

Staff further recommends that the committee withdraw PCL's registration and terminate its degree-granting authority effective immediately.

Immediate termination provides PCL's currently enrolled students the maximum number of options for transfer, including both in-person options and distance learning options, since January is a common time for law schools to begin academic terms.

On November 28, 2023, PCL informed its students that the State Bar staff planned to recommend closure of the law school and that the committee would be deciding whether to withdraw the school's registration at this meeting. The law school was required to share all committee orders with students as part of its Rule 4.241 Disclosure, and, as the winter quarter began on November 27, 2023, PCL had the ability to warn students of the recommended closure before they enrolled in the current term.

Although withdrawal of registration will certainly impact PCL's remaining seven students, the school cannot be permitted to continue to operate where the noncompliance issues are numerous and serious.

It is further recommended that the law school be directed to identify a custodian of records to assist students and graduates with transcript requests and advise its students and alumni as well as the State Bar of the procedure for requesting records.

RECOMMENDED MOTION

If the committee agrees with the staff recommendation, the following motion is recommended:

MOVE, that the committee adopts the October 2023 Inspection Report of Peoples College of Law and all of its recommendations as set forth in Attachment A and finds that the law school is not in compliance and has not made adequate progress toward compliance for the reasons set forth in that report as well as the law school's failure to fulfill its duties regarding Rule 4.241 Disclosures. The committee therefore withdraws the registration of Peoples College of Law and terminates its degree-granting authority effective immediately as of December 14, 2023.

FURTHER MOVE, that the law school is directed to identify a custodian of records to assist students and graduates with transcript requests and advise its students and alumni as well as the State Bar of the procedure for requesting records.

ATTACHMENTS LIST

- A. October 2023 Inspection Report – Peoples College of Law, October 2023
- B. December 3, 2023, Response to 2023 Inspection Report – Peoples College of Law
- C. December 1, 2023, Progress Report – Peoples College of Law (also contains November 1, Progress Report)
- D. August 30, 2023, Email from Student Regarding Disclosures
- E. 2020–2022 Annual Compliance Report Certifications – Peoples College of Law
- F. November 16, 2023, Email from Loan Broker Regarding Nonpayment

G. December 4, 2023, Email from Former Employee Regarding W-2 Form



The State Bar of California

Peoples College of Law Inspection Report

October 10 & 17, 2023

PCL-SER-00376

REPORT ON INSPECTION OF PEOPLES COLLEGE OF LAW 660 SOUTH BONNIE BRAE STREET, LOS ANGELES, CA 90057

INTRODUCTION

A State Bar inspection team conducted an interim inspection of Peoples College of Law (PCL) on October 10 and 17, 2023 pursuant to Rule 4.267(B) as well as the law school's probationary terms. The team consisted of Heather Georgakis, Educational Standards Consultant to the Committee of Bar Examiners (committee), and James H. Efting, Educational Standards Chair, Committee of Bar Examiners. The inspection team was supported by State Bar staff.

The State Bar last inspected PCL on January 14–16, 2020. During that inspection, the Educational Standards Consultant noted many compliance issues and memorialized them in an inspection report that the committee adopted in full during its August 21, 2020, meeting. While the committee renewed the law school's registration, it placed conditions on the renewal that required PCL to demonstrate continued compliance and document in its annual report each November; failure to do so would result in the immediate issuance of a Notice of Noncompliance and potentially further corrective action. After reviewing the law school's 2021 Annual Report, the committee issued a Notice of Noncompliance to PCL.

On December 2, 2022, the committee placed PCL on probation through May 30, 2024, due to PCL's failure to maintain compliance with the Unaccredited Rules and Guidelines. The conditions of probation required the law school to establish compliance and maintain it throughout the term of the probation. The committee reserved the right to end the probation early and withdraw the law school's registration if PCL did not demonstrate sufficient progress.

The inspection team concludes that the law school has not achieved and maintained compliance with the Unaccredited Law School Rules and Guidelines, based on a review of PCL's progress reports, written and verbal communication with the State Bar, and observations at the October 2023 inspection.

Background

PCL is a nonprofit 501(c)(3) organization registered as an unaccredited, fixed-facility law school offering a part-time JD program, and it currently enrolls seven students. The total tuition and fees required to earn a Juris Doctor degree (JD) are currently \$22,400.

PCL's governing Community Board is elected in full each year. Six students and nine nonstudents serve on the board. The Community Board not only makes policy decisions but also makes day-to-day decisions through full board action or one of its committees. There are six standing committees composed of Board and faculty members, and these committees handle certain day-to-day functions. The committees are: Executive, Finance/Fundraising and Development, Faculty and Curriculum, Admissions and Recruitment Building/Library, and Accountability.

Since June 2020, the law school has employed a full-time paid administrator, and since September 2022, the law school has employed a full-time paid dean. Previously, the dean position was unpaid, and a registrar position was a part-time paid position. The law school hired its current dean, Edith Pomposo, on September 27, 2022. On September 12, 2023, Dean Pomposo notified the State Bar that she was on a voluntary leave of absence. As of the time of the inspection, PCL indicated it had reached out to her, but she had not responded, and the law school did not know when she would return, but that the law school considered her to be its dean. On September 28, 2023, PCL hired Ana Maria Lobos as the interim dean. The school has experienced significant turnover in its administration. Since 2020, there have been five different deans and five different administrators.

PCL's faculty instructors are volunteers. All nine current faculty members earned JD degrees from law schools approved by the Council to the Section on Legal Education and Admissions to the Bar of the American Bar Association (ABA) or registered or accredited by the committee.

PCL enrolled seven students as of fall 2023: one first-year student, four third-year students, and two fourth-year students. None of the first-year students who enrolled in 2022 returned to the law school this year.

As of January 2023, PCL's five-year cumulative California Bar Exam (CBX) pass rate for graduates was 42.8 percent. It is based upon a pool of 21 graduates who took the exam during that period. Of those who passed, 40 percent passed more than five years after graduating.¹ About 25 percent of the law school's graduates since 2018 have not taken the bar exam. No PCL graduates took the July 2023 bar exam.

PCL's First-Year Law Students' Exam (FYLSE) pass rate dipped to REDACTED percent in June 2023, compared to REDACTED percent in October 2022 and REDACTED percent in June 2022, as reflected on the school's Rule 4.241 Disclosure Form.

Submission of Self-Study Materials

PCL's monthly progress reports issued since December 2022 were utilized in preparing for the law school's inspection. Due to the breadth of topics covered in those reports, the State Bar did not require the law school to create an additional self-study. On August 30, 2023, shortly after the inspection dates were determined, the State Bar requested that PCL submit additional documentation necessary for the inspection.² The material was required to be provided by

¹ Note that the cumulative pass rate for unaccredited law schools includes all those graduates who took the bar exam during a five-year period, no matter when they graduated; there is no minimum pass rate required for unaccredited law schools. This contrasts with the cumulative pass rate measure used for accredited law schools, which only includes the results of those students who graduated during the same five-year period. Therefore, if PCL were required to use the MPR formula, its cumulative pass rate would be significantly lower.

² The State Bar requested 32 documents including financial reports, student refund requests, minutes from various committee meetings, the current application form, the current transcript form, list of faculty, externship and clinical documentation, grade correlation studies, faculty evaluations, class records, admissions files, student files, the faculty manual, final examinations for courses, course syllabi, and all correspondence with the CBE.

September 11, 2023, but PCL provided the documentation more than two weeks late, on September 27, 2023.

Conduct of Site Visit

To prepare for the inspection, the team reviewed the law school's monthly progress reports, its 2020, 2021, and 2022 annual reports, website, Catalog, student results on State Bar exams, and records requested by the State Bar, including syllabi, course examinations, faculty evaluations, and Community Board meeting minutes.

The inspection took place from 9:30 a.m. to 4:30 p.m. on October 10 and October 17, 2023. During the inspection, the team toured PCL's facility virtually and conferred with members of PCL's board including Community Board Chair Clemente Franco, and members Carol Dupree, Ken Montenegro, and student Treasurer REDACTED. The team also spoke with PCL staff including Interim Dean Ana Maria Lobos, Administrator Roger Aramayo, and Admissions Chair Hector Peña Ramirez, as well as instructors Robert Skeels of the Faculty-Curriculum Committee, Laura Boudreau, John Duane, Pascual Torres, and Bill Maestas, and students representing all three current class years for which PCL has enrolled students.

Although the inspection was virtual, the team was nonetheless able to review the physical student files stored and maintained on site and inspect a representative sample of available records provided by PCL and shared through SharePoint. At the State Bar's request, PCL invited all current students to submit confidential comments via email, however, the inspection team did not receive any comments to review. The inspection team did meet with students during the inspection.

Under rules 4.201, 4.240(N), and 4.267(D) PCL must demonstrate its compliance with the terms of its probation and with the rules.

The findings listed below include: 1) compliance issues observed during the probationary period and the October 2023 inspection that were not enumerated in the 2020 inspection report, listed by letter; 2) status updates relating to the list of actions identified by the committee following PCL's 2020 inspection, required for the school to achieve and maintain compliance, listed by number.

INSPECTION OBSERVATIONS AND STATUS UPDATES

Compliance Issues Observed in October 2023

A. Rule 4.241: PCL is not compliant with Rule 4.241, which states that a registered law school must provide each student, in the format required by the committee, a disclosure statement that includes a specific set of information enumerated in the rule and the student must sign the disclosure and receive an executed copy before making a payment to the law school. Failure to comply with Rule 4.241 requires the law school to refund all tuition and fees to the student. The rule also states that noncompliance constitutes cause for withdrawal of registration.

In December 2022, the committee directed PCL to review whether this process was followed for a particular student and immediately provide the student a refund for any term in which PCL did not follow the proper Rule 4.241 procedure. While a refund was owed, the school did not issue payment to this student until August 2023, despite staff requests and committee orders to do so. Because of its demonstrated noncompliance with the rule for one student, the committee directed PCL to conduct a full audit of its Rule 4.241 Disclosures for all students in the 2022-2023 academic year in January 2023. This audit was completed in August 2023. During the audit, PCL determined that at least seven students were owed refunds for at least one term. These seven refunds were provided on August 1, 2023, and August 8, 2023. PCL stated it would complete an additional audit for the 2020-2021 and 2021-2022 academic years in September 2023. The audit for those years has not been completed. PCL first advised that the additional audits would be complete by September 25, 2023, but then pushed back this timeline by nearly a month to October 20, 2023. The law school indicated that it planned to hire a contractor to complete the 2020-2021 and 2021-2022 audits by mid-October 2023. No further update has been provided on the status of the audit or whether additional refunds are owed, despite the law school submitting its monthly progress report on November 1, 2023, after its internal deadline for completing the audit.

The inspection team also discovered that the law school included additional information along with the Rule 4.241 Disclosure that did not appear to be accurate. For example, in fall 2023, the document that students are required to sign before payment of any fee for an academic term asked students to confirm they had received their class schedules when neither the schedules nor the professors had been fully identified and not all syllabi were available until the end of the first night of class. The disclosure also linked to the State Bar's exam outcomes page as a means of showing performance on exams, but the page does not state PCL's pass rates³. The law school should have included the pass rates in the disclosure. A table in the disclosure incorrectly stated a CBX passage rate of 11 percent for July 2018, when there were no takers during that period. Further, although Rule 4.241(A)(9) only requires the school to disclose whether it has been issued a Notice of Noncompliance, in its April 2023 motion, the committee specifically required PCL to attach the Notice of Noncompliance and subsequent related committee actions to its Rule 4.241 disclosure. Despite this directive, the Rule 4.241 Disclosure did not include the Notice of Noncompliance.

The law school has not shown a settled procedure for the issuance of clear, complete, accurate, and timely disclosures or the administrative capacity to discover and correct errors promptly. PCL must immediately complete its audit and issue any refunds due since 2020, create compliant disclosures, and distribute and process them according to a compliant policy.

B. Guideline 2.2(C): The law school is not compliant with Guideline 2.2(C), which states a law school must establish reasonable safeguards against financial fraud and other financial improprieties. PCL does not appear to have documented financial processes with stated safeguards. For example, PCL

³ Data with sample sizes of under 11 are not published on the State Bar website.

does not appear to train staff on security practices or the importance of safeguarding financial information and there appears to be no documentation on safeguards such as regularly scheduled audits and routine back-ups of financial records.

The lack of documentation on financial safeguards is particularly noteworthy as the school's treasurer position is an elected position with high turnover, currently held by a student. While the position does not require financial experience, the treasurer has control of cash transactions, regular reconciliation of accounts, limited signatory authority on checking accounts, and tracking of debit card purchases.

While the law school uses an accounting software, Bench, for its bookkeeping, it also uses Google Drive to store financial documents. The Google Drive documents are accessible to all PCL committee members including students and those with non-finance-related positions. Bench is SOC 2 compliant, which means that it utilizes industry-standard data security practices such as access controls and methods for preventing unauthorized changes. A Google Drive accessible to many individuals does not meet this standard of data security and does not sufficiently safeguard financial documents.

C. Guideline 2.9 (E): The school is not compliant with Guideline 2.9(E) which requires a law school to advise each student of their final grades within a reasonable time after the student completes the course. The school's policy states grades must be turned in within two weeks after an exam or assignment. However, in practice, grades have been consistently late. According to PCL's administrators, at least one professor each quarter since 2020 has turned in grades after the deadline stated in the school's policy.

The law school has developed a process for backup grading in instances when instructors do not submit grades in time, however, it has not prevented the late release of grades so far. The law school has long acknowledged that it is challenging to meet the deadlines stated in its policy due to its use of volunteer faculty and lack of employment contracts, but it does not change its practice. The guideline does not provide an exception for the requirement to provide students with reasonably timely grades because volunteers are utilized.

D. Guideline 4.2: PCL is not compliant with Guideline 4.2, which states that a law school must have a competent dean and a competent faculty devoting adequate time to administration, instruction, and student academic counseling. The current dean, Edith Pomposo, was appointed by the Board in September 2022. Pomposo holds a JD from an accredited law school and an LLM from an ABA-approved law school but does not hold a license to practice law. Pomposo has experience in the primary and secondary school setting and some higher education experience.

In early September 2023, the dean announced that she was on voluntary leave, and she has not responded to PCL staff requests to expand upon the nature of the leave or advise whether or when she will return. PCL advises that she continues to be employed in the dean role. When she began

her leave on September 12, 2023, she advised the State Bar that her “professional standards and values no longer align with those of the organization, making it increasingly challenging for me to carry out my responsibilities effectively.” In August 2023, a student contacted the State Bar to advise that they could not reach her before her leave. The administrator also advised that it was challenging to reach her.

PCL has since hired Interim Dean Ana Maria Lobos, effective September 28, 2023. Lobos is a 2015 graduate of PCL who became a State Bar licensee in December 2022. She previously managed children’s gyms and completed an internship at a family law nonprofit organization. She has not been previously involved in law school or graduate school administration. At the time of the inspection, she had held the interim dean position for approximately two weeks.

With both holding JD degrees, Pomposo and Lobos possess the academic credentials required to serve as PCL’s dean. However, both are inexperienced as law school administrators. Although PCL’s dean must oversee curriculum and examination development as well as grading and providing model answers, and currently serves as chair of the Faculty Curriculum Committee, neither dean appears to have expertise in these areas. PCL does not have a procedures manual or updated Faculty Handbook to provide direction as to best practices.

The current administrator, Roger Aramayo, has held his position since June 2023. He is a full-time, salaried PCL employee. Aramayo earned a JD from an ABA-approved school in 2017. He is not licensed to practice law in any jurisdiction. As a law graduate, Mr. Aramayo has the academic credentials to serve as PCL’s administrator as required under Guideline 4.1. However, he does not have prior experience in higher education administration, particularly in performing duties typically handled by a registrar, such as course scheduling, determining eligibility for admission and graduation, reviewing students’ academic progress, preparing compliant reports and disclosures, and maintaining student records. He does not appear to have been provided with guidance or training in his role.

At the inspection, Mr. Aramayo was not aware of basic information that is critical to the registrar role, such as the number of credits needed to graduate, or the courses students need to take to become certified law students. Additionally, although he assisted both deans in responding to State Bar compliance inquiries, he has not read the 2020 Inspection Report.

Several observations raised concerns as to the law school’s ability to maintain a competent faculty that is able to fully meet its instruction needs. Though the interim dean advised that she has a list of 88 potential faculty, PCL has struggled to fill its faculty positions and retain teachers. The school does not enter into written contracts with faculty, which limits its ability to set standards, manage faculty, and hold them accountable. Faculty reviews appear cursory and fail to provide meaningful feedback.

The fall 2023 quarter was impacted by these issues. As described above, students received Rule 4.241 Disclosures on August 28, 2023, and were asked to confirm they had been advised of their

schedules and faculty, but they had not been provided with that information. By the first day of class, the Evidence instructor quit, and the first class was canceled. No replacement could be found. As a result, PCL canceled the Evidence course and replaced the course with an MBE Exam Preparation course for third- and fourth-year students.

This last-minute change had a negative impact on students. In a meeting with students during the inspection, one student stated they wished to apply to be a certified law student under the State Bar's Practical Training of Law Students program but were unable to do so due to the delay of the Evidence course, as they must enroll in Evidence to do so. As a result, their ability to participate in that program may be limited or impossible, depending upon their class year.

The course change also resulted in a last-minute schedule change for students. On September 6, 2023, approximately two hours before the scheduled Evidence class, PCL canceled the class. It also scheduled the replacement MBE course to be offered on a different day to accommodate the new volunteer faculty member's schedule. Since the law school only offers one set of courses, third- and fourth-year students had no choice but to accept the last-minute MBE course and weather the schedule change or risk delaying their graduation.

E. Guideline 4.7: The law school is not compliant with Guideline 4.7, which states that instructors must continually strive to improve their teaching skills and expertise in the subject(s) they teach. The school does not have a written policy as to faculty training. In the past, after the State Bar identified this as an area needing improvement to ensure compliance, PCL advised that it used a Faculty Handbook to orient faculty members and develop their teaching skills and that it also discusses teaching and grading topics at faculty meetings. Notably, the Faculty Handbook provided to the State Bar was last updated in 2021 and the inspection team did not find evidence of recent faculty training.

F. Guidelines 5.1 and 5.2: PCL is not compliant with Guidelines 5.1 and 5.2, which state that the law school must maintain a qualitatively and quantitatively sound program of legal education and enumerates the criteria for evaluating the law school's program. The JD program lacks coordinated planning or oversight. Course progression appears to be dictated by volunteer faculty availability, rather than one providing a balanced and comprehensive course of study with materials presented in an organized and logical manner and sequence. (Guideline 5.11). For example, the school planned to offer Evidence, but the professor quit, causing PCL to cancel the course hours before it was scheduled to take place and replace it with an MBE preparation course. This course was offered to the third-year students at least a year before they plan to take the CBX and may have deprived fourth-year students of taking the canceled class. The law school was also unaware of its responsibility to offer six hours of practical skills training and met the requirement only by happenstance rather than an attempt to comply. (Rule 4.240(F)). Further, PCL staff review syllabi, exam materials, and grades but the staff lack relevant knowledge and experience in these duties. PCL was also unable to sufficiently demonstrate the soundness of its grading system. (Guideline 5.2(H)). For example, it has not compared student grades to outcomes on State Bar exams.

Throughout the remainder of this report, numerous examples raise concerns about the soundness of the law school's program as it relates to the criteria listed in Guideline 5.2 including the quality of examinations (section 13 on Guidelines 5.17, 5.18, and 5.25) and the adequacy of the law school's finances (section I on Guideline 8.1).

G. Guideline 5.11: PCL is not compliant with Guideline 5.11, which states that a law school must offer a balanced and comprehensive course of study with materials presented in an organized and logical manner and sequence. As discussed above, the law school has changed courses and class schedules without notice or with little notice. As a result, as described in the scenario above, the law school had to defer offering coursework in Evidence, despite its prior placement in the sequence of coursework, and to the detriment of students seeking to participate in the Practical Training of Law Students program. This example also demonstrates that any balanced and comprehensive course of study collapses where PCL is unable to retain instructors. Evidence was swapped with an MBE prep course because an instructor with expertise in that subject was available; however, this was not the school's planned course progression.

Guideline 5.11 states that a law school's curriculum "should offer students the opportunity to take elective courses in a variety of legal topics," but PCL offers advanced students no more than the minimum required hours of coursework each year, so students are not afforded the opportunity to take electives. This is one instance in which the law school does not offer students the resources that the Guideline states that it should.

H. Guideline 5.12: The law school is not compliant with Guideline 5.12 which states that a law school should offer instruction in various practical skills. Course syllabi provided to the State Bar indicate that instruction does not include topics identified by the guideline, such as appellate advocacy, law office management, counseling, negotiation, or other practical skills courses beyond legal writing. This is another instance in which the law school does not offer the resources that the Guideline states it should.

I. Guideline 8.1: PCL is not compliant with Guideline 8.1, which states that a law school must have adequate present and anticipated financial resources to support its programs and operations, including providing all educational services the institution represented it would provide, ensuring that all students admitted have a reasonable opportunity to get a degree, and issuing timely refunds.

PCL's finances are handled primarily by the five-member Finance/Fundraising and Development Committee, chaired by the elected treasurer of the Community Board, REDACTED, REDACTED PCL student. There are no set qualifications for this role, and the current occupant of the role does not have a finance-related or accounting degree, although he does have a master's degree in public administration. The treasurer position has had significant turnover since the full board is elected each year, and REDACTED described the training for his position to be ad hoc,

including self-learning.

Because the full board is elected each year, and candidates are not required to have specific skills, it is likely the case that financial oversight is being conducted by individuals with no experience in financial matters. According to the treasurer, there is no formal budgeting process, and its financial policies and procedures are not currently well-defined or documented and appear to lack standard best practices. For example, the financial summary PCL prepared between the first and second day of the inspection contained outdated information that did not account for the impact of attrition in calculating tuition income, did not calculate or consider critical numbers such as breakeven enrollment, and projected large increases in revenue inconsistent with prior performance. This is particularly significant now that the law school is making major financial changes such as selling its building and adding employees.

Historically, the school's expenses have roughly equaled its revenue, but this operating position was balanced by the school's ownership of the Bonnie Brae building and the rental and borrowing power that ownership afforded. As reported in the 2020 Inspection Report, typically about one-third of the school's revenue came from rental of the building's first floor, while approximately two-thirds came from student tuition and fees. This was based on a model that did not account for paid full-time staff.

According to documents PCL provided to the State Bar, the law school's operating expenses now outpace operating revenues by a significant margin. The law school states that operating revenue for the 2023-2024 school year is projected to be REDACTED, which does not appear to take into account attrition that took place this term. The school projects an operating loss of REDACTED for this academic year, REDACTED for the 2024-2025 year, and REDACTED for the 2025-2026 year. Revenue has dropped due largely to a 66.6 percent decline in student enrollment between fall 2022 and fall 2023. The law school expects that future enrollment will climb from one first-year student this year to 25 first-year students by fall 2024. This assumption appears aggressive since the law school has enrolled at most 17 students in a 1L cohort since 2017 and most cohorts were smaller.⁴

PCL's expenses have increased since 2020. One-time expenses included installing a learning management system, significantly updating the library, and completing deferred maintenance on its building. Ongoing expenses include adding two paid administrative staff (administrator in 2020 and dean in 2022), and the law school plans to add additional paid staff.

The school has now entered escrow for the sale of its building, to close no later than May 2024. According to PCL's budget forecast, it expects to sell its property for a profit of REDACTED. It hopes to spend REDACTED or less on a replacement building, though its offers to date have not been accepted. PCL also plans to repay its current REDACTED loan as well as a REDACTED lien.

⁴ The 1L cohort sizes were 9, 14, 17, 17, 14, and 8 in the 2017, 2018, 2019, 2020, 2021, and 2022 academic years respectively, as reported in PCL's 6061.7(a) Disclosures.

PCL's budget also projects that, even upon the sale of its property, the school's cash and cash equivalents will decrease yearly from REDACTED in the 2023-2024 school year to REDACTED by the 2025-2026 school year. While the budget shared with inspectors does not forecast beyond the 2026 school year, its own optimistic projections show the school losing several hundred thousand dollars per year each year. Therefore, it is unclear whether the law school will be able to fund the entire four years of instruction for students enrolling as 1Ls during the 2024-2025 school year.

Efforts to find a replacement property at PCL's target price have not been successful and the law school has been unable to identify to the State Bar the criteria it is using to search for a new space. Most recently, the law school indicated that it hoped to rent back its premises from the new owners upon completion of the sale, though the cost of doing so, and the effect on its ability to repay its outstanding loan, is unknown.

Because the law school's leadership lacks financial expertise, there is uncertainty around the sale and purchase of property, and there are concerns raised by the school's budget forecast, the inspection team recommends that the committee request an audit report prepared by an independent certified public accountant, as allowed under Guideline 8.3, if the school is permitted to continue to operate.

Summary of 2020 Inspection Report Mandatory Actions and Current Status

Below is a list of actions, identified by the committee following PCL's 2020 inspection, that were required for the school to achieve and maintain compliance. The status of each action is updated based on observations from the October 2023 inspection.

1. Guidelines 1.9 and 2.10 (2020): To demonstrate full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy.

October 2023 Status: PCL is not compliant with Guideline 1.9, which states that law schools must operate in compliance with all applicable federal, state, and local laws and regulations. The school created a policy in 2020 to address requests for accommodations pursuant to the Americans with Disabilities Act (ADA) and similar laws. However, the ADA policy created in 2020 was not implemented until the beginning of 2023, and only after the State Bar brought two student complaints to the school's attention, one of which remained unresolved as of October 2023.

Despite the adoption of the policy, implementation was not consistent with the policy. The State Bar received notice in the spring 2022 term that at least one student was required, contrary to the policy stated in its Catalog, to negotiate accommodations with each professor, and one professor refused to honor the student's school-approved accommodations on the eve of an exam. Another student filed a complaint because the school's policy did not clearly indicate what documentation the school required to request an accommodation.

Since that time, requests for accommodations have been submitted through Populi and initially decided by the dean, whose decisions are reviewable by the Executive Committee and, in some cases, the Board. Neither the dean nor the interim dean has prior experience with or knowledge about how accommodations requests are verified or decided. PCL was unable to demonstrate that, notwithstanding the adoption of a policy, it has effectively implemented the policy.

Additionally, PCL has not demonstrated compliance with Guideline 2.10 with respect to maintaining the privacy of student health records. According to PCL's Catalog, the Executive Committee, which includes a student member, reviews student accommodation requests. Thus, student members of the Community Board may be privy to student health information in cases where the Executive Committee evaluates ADA matters. While the dean indicated that student members of the board no longer participate in testing accommodation appeals, this is not stated in the recently updated Catalog.

Student committee members are barred from participating in academic disqualification and grade review proceedings without the subject student's consent, but students' privacy may be hard to maintain with a student body of seven and six student slots on the Community Board. The law school also lacks policies for recusal policy and/or conflict of interest.

2. Guideline 2.2(B) (2020): To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications.

October 2023 Status: The school adopted a compliant policy for students who withdraw from the law school and provided the State Bar with a copy of that policy. The law school has not fully implemented its disclosure policy required pursuant to Rule 4.241, resulting in a significant number of refunds owed for the 2022-2023 school year, and potentially additional refunds owed, as discussed above in the section describing the law school's Rule 4.241 Disclosure defects.

3. Guideline 2.3(A)-(C): (2020): To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years and inform students via the Catalog that electives are not taught each year but are offered from time to time based on student interest and instructor availability.

October 2023 Status: The law school is not compliant with Guidelines 2.3(A)-(C), which state a law school must be honest and forthright in all communications, including applicants, prospective students, and current students. PCL removed from the Catalog electives not offered in the past three years or expected to be offered in the next two years and added to the Catalog a notice that electives are not taught each year but offered from time to time based on student interest and instructor availability. However, the school has not met its obligations for honest communication under this guideline in other ways.

The law school updated its website in April 2023, and on September 30, 2023, advised the State Bar that it had fully reviewed the website for accuracy. Yet, the inspection team noted many errors in a

brief review. For example, the academics webpage misstated the term length for first-year classes and understated how many units a student must complete during that year. The financials webpage misstated the FYLSX exam fee. The page included a hyperlink to a State Bar webpage with more information, but it required an applicant login, making it inaccessible for prospective students. The California Business and Professions Code section 6061.7(a) Disclosure contained errors in the cost section although the State Bar previously advised the school of the errors. The 2022 graduates' status is still listed as projected on its alumni page. Despite the law school's stated efforts to review the website, it remains inaccurate.

The Catalog also contains inaccurate information. Information in the Catalog is not consistent with information posted on the website or the Business and Professions Code section 6061.7(a) Disclosure as to required fees or total program units. Both the Catalog and website also contain outdated references to PCL's former schedule that was offered in 15-week semesters, when the law school has offered classes only on a quarter system since 2018. Most recently, the interim dean advised that at the start of the fall 2023 quarter, PCL simply changed the title of the 2022-2023 Catalog to 2023-24 Catalog and posted it without updating it. The interim dean revised the catalog on September 30, 2023, based on what she found while preparing for this inspection. Therefore, a correct catalog was not posted until about a month after students had enrolled for the fall quarter.

These examples reflect a pattern in which PCL reacts to requests from the State Bar rather than actively establishing and maintaining compliance.

The law school has indicated using several different methods to update and maintain its materials, but none have resulted in compliance. In August 2023, the school reported that responsibility for website updates would be centralized with the administrator, but at the inspection, the administrator was not aware that he was expected to update the website. It does not appear that PCL has established adequate administrative capacity and organization for managing its communications, despite the evident risk that mistakes may mislead prospective and current students and confuse personnel who must administer the school's policies.

Further, PCL is not forthright when communicating its compliance status to students. The law school's original Notice of Noncompliance issued on June 17, 2022, is obscured on the PCL website under a heading titled "CalBar Motion."

5. Guideline 2.3(D) (2020): To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7(a), and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated.

October 2023 Status: The school is not compliant with Guideline 2.3(D)(1)-(3), which states a law school must include specific statements, without alteration, in its bulletin, catalog, website, application for admission, and enrollment agreement for its JD degree program. State Bar staff has been required to repeatedly intervene to identify and address errors observed in the school's disclosures or disclosure process. At the time of the inspection, the Business and

Professions Code section 6061.7(a) Disclosure appeared to list incorrect law school fees, and the Rule 4.241 Disclosure inaccurately stated CBX passage results and other details described above in section B on Rule 4.241. After State Bar staff raised questions about PCL's disclosures, PCL audited the disclosures for the 2022-2023 academic year. As a result, seven students were owed a refund but did not receive a refund until approximately six months after the school identified that it failed to comply with the disclosure requirements. Further, the law school has been researching the issue of whether additional refunds are owed for the period of spring 2020 through spring 2022 since at least September 1, 2023, but it has not yet determined whether it has issued all refunds owed. Failure to provide necessary disclosure statements and failure to provide refunds to students who do not receive such disclosures constitutes noncompliance and cause for withdrawal of registration.

6. Guidelines 2.9(A)-(B) and 5.24 (2020): To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated.

October 2023 Status: The school is not compliant with Guidelines 2.9(A)-(B), which states a law school must adopt written policies on academic and grading standards that are fair. The Catalog, website, and disclosure documents did not include written standards and requirements for clinical courses and externships. This omission comes even after the September 30, 2023, Catalog review, and a further Catalog update on November 1, 2023. PCL is also not compliant with Guideline 5.24 because the Catalog omits information about course repetition, such as the specific circumstances under which a course must be repeated and the impact of repetition on grade point average, as required; this is described further in section 17 on Guideline 5.24.

6. Guideline 2.9(C) (2020): To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades.

October 2023 Status: PCL is not compliant with Guideline 2.9(C) which requires a law school to provide each student with a written statement explaining the extent to which certain factors will be used in determining a final grade. While the law school adopted a compliant policy that states syllabi, with the required components for determining a final grade, will be provided to students "by no later than the end of the first class in their course of instruction," at least one syllabus was not provided in advance of the course. Syllabi are also not reviewed sufficiently for adherence to PCL's own policies. For example, the Remedies I, Remedies II, Torts I, and Torts II syllabi contained course grading components for class participation that greatly exceeded the school's stated policy limiting class participation points to no more than three percent of the grade. The law school's administrator is responsible for reviewing the syllabi to ensure compliance with school policy, but the syllabi remain out of compliance with school policy.

7. Guideline 2.9(D) (2020): To bring itself into full compliance, PCL should adopt, publish, and

implement a policy on authentication of student work, and discontinue its current practice of allowing students to take exams using devices that are not protected by exam-security software.

October 2023 Status: The school is not compliant with Guideline 2.9(D), which states a law school must have a written policy setting forth the procedures used to authenticate the identity of the student submitting work and participating in educational and other law school activities and to ensure that work submitted is the student's own. Neither the 2023-2024 Catalog nor the Faculty Handbook contain policies about authentication of student work. Also, the administrator stated that the technology used for the authentication process is prone to technological issues that cannot be solved during exams because its vendor does not offer customer service during the hours when exams are administered. As such, the law school allows students to bypass authentication at the discretion of each faculty member.

8. Guidelines 2.11, 7.1, and 9.1 (2020): To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records.

October 2023 Status: The school is not compliant with Guideline 2.11, which requires a law school to establish and maintain adequate security and backup procedures to protect its electronic records. The school has transitioned from using paper files and a personal computer to a commercial software, Populi, which includes security and backup features as required by Guideline 2.11. However, PCL's digital financial records are not stored on Populi and are vulnerable to unauthorized changes because PCL has not established levels of access control, as described in section B, 2.2(C). The school is also not in compliance with Guideline 9.1, which requires a law school to maintain complete and accurate records of its programs and operations, as demonstrated by the continued inaccuracy of student records, such as missing coursework on transcripts, documents missing from student files, missing disclosure documents, and incomplete faculty files, described in further detail in section 18 on Guideline 9.1.

9. Guideline 3.1 (2020): To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the committee's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions.

October 2023 Status: The school is not compliant with Guideline 3.1, which states a law school must be governed, organized, and administered so as to maintain a sound program of legal education. Although job descriptions and administrative hours have been added, significant disorganization within the administration remains, resulting in unclear lines of authority that contribute to many compliance gaps. For example, key materials, such as the Catalog and website, remain out of date, at least one diploma was not distributed for the 2022 graduating class and the administrator was unaware of the status of the diplomas for the class of 2022, and the Business and Professions Code section 6061.7(a) Disclosure listed incorrect school fees as of the inspection date.

Neither the interim dean nor the administrator could identify for the inspection team the number of units required for graduation. Moreover, neither the interim dean nor the administrator was aware

of the requirement to offer practical skills training, and it was only a coincidence that the law school's curriculum met the requirement. These are all examples of the school's continuing failure to be governed, organized, and administered in a manner to maintain a sound program of legal education. To bring itself into full compliance with Guideline 3.1, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the committee's standards, including clearly delineating the responsibilities of the dean and administrator.

10. Guidelines 4.8 and 4.9 (2020): To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements.

October 2023 Status: PCL is not compliant with Guideline 4.9, which states that the basis for instructor evaluations should include observation in the classroom and review of course materials, and grades. While the school has had an adequate written policy for some time, implementation appears sporadic and incomplete. No faculty evaluations were received by the State Bar for 2020, 2021, or 2022, though most recently, evaluations were conducted on July 6, 2023. The evaluations do not appear to provide meaningful feedback related to the factors identified in Guideline 4.8 or address serious issues, such as late turn-in of grades.

Of the faculty evaluations that were submitted to the State Bar as part of the inspection, most appeared incomplete, were not signed by the faculty member being evaluated, and did not include feedback for improvement. Effective evaluations are particularly important in a context where faculty receive little training, their course materials are subject to minimal oversight, and at least one professor turns in grades late every term.

11. Guidelines 5.3(A)(1) and 5.9 (2020): To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regular scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

October 2023 Status: PCL is not compliant with Guideline 5.3(A)(1) under which a law school must have a written attendance policy requiring regular and punctual attendance of not less than eighty (80) percent of the regularly scheduled class hours in each course and must keep accurate attendance records. The school's attendance practices appear to have been improved since the last inspection, with attendance taken manually and entered in Populi later. However, implementation of the improved policy does not fully satisfy Guideline 5.3(A)(1) because students who miss more than 20 percent of classes are given the opportunity to appeal the decision and take make-up classes; the Guideline requires attendance of not less than 80 percent of "regularly scheduled class hours" in each course.

PCL has not provided a clear, consistent, and unambiguous statement of the requirements for graduating from its program with a JD. At the time of inspection, the law school's webpage

contained an error showing a curriculum that does not satisfy the minimum classroom attendance hour requirement under Guideline 5.9(A)(4). Administrators were unable to confirm the total academic units a student must complete to earn a JD. The law school does not clearly advise prospective or current students of the total units, title, unit value, or weekly class hours and duration in weeks, of each course in the curriculum.

In addition, at least one student was allowed to pursue his coursework in an accelerated manner, but the law school did not provide a fourth year of instruction for that student until nine months after the anticipated start of the student's fourth year of study. This violates Guideline 5.9(A)(4) which requires all fixed-facility law schools to provide a minimum of 270 hours of classroom attendance a year for four years.

12. Guideline 5.8 (2020): To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course.

October 2023 Status: PCL is not compliant with Guideline 5.8, which states that a law school "must maintain a record for each student" that includes information such as the number of hours spent by the student participating in the activity, the amount of academic credit authorized for the activity, and more. PCL does not appear to maintain adequate specific records for each student. It discovered that clinical courses from summer 2020 were not fully entered into Populi and in some cases, did not appear on student transcripts. The State Bar learned that the law school had to call faculty and accept their representations as to whether the student attended because the law school lacked any records of their participation, though the student was able to produce a timesheet. In August 2023, it held an emergency meeting to decide how many credits to award for clinical study completed during the of summer 2020. The law school did not offer summer 2023 clinics.

13. Guidelines 5.17, 5.18, and 5.25 (2020): To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance.

October 2023 Status: PCL is not compliant with Guideline 5.25, which identifies the criteria for evaluating the quality of examinations and the accuracy and reliability of grading at a law school. Under the guideline, the committee can determine the quality and reliability of grading using various factors: the degree of correlation between the grades received by students in the first-year courses of Torts, Contracts, and Criminal Law and their passage or failure of the FYLSX; the inspector or inspection team's independent judgment on the quality of the examinations and the accuracy of grading; and consistency in the application of the grading standards among members of the faculty.

There is not a sufficient correlation between the grades received by students in the first-year courses and students' FYLSX outcomes. The school's 2022 annual compliance report shows that of the 16

students who took the FYLSX in October 2021, none passed, even though REDACTED had a weighted GPA of 2.0 (C+) or higher and four had a weighted GPA above 2.7 (B). PCL further advised that it does not track the correlation between grades awarded and performance on State bar exams.

The inspection team's independent judgment on the quality of the examinations and the accuracy of grading also raises concerns about the law school's grading reliability. Regarding exam quality, PCL advised that the dean has begun reviewing exam questions and answer outlines prior to exam administration, but it should be noted that the dean lacks experience in teaching and does not appear to have the qualifications to perform this function effectively. On September 19, 2021, PCL adjusted its grading scale to address grade inflation and sent a communication urging instructors not to inflate grades, but it is unclear what steps the law school took to teach professors how to grade properly, and the law school has not compared its grading to results on State Bar exams. PCL also amended its policies to limit the weight of class participation to three percent of the course grade; however, these participation limitations have not been fully implemented. For example, participation continues to be as much as 25 percent in some doctrinal courses and clinical courses. After three years of effort, the law school cannot determine whether it has addressed grade inflation and continues to rely heavily on class participation rather than subject matter mastery in some courses. Therefore, it is the inspection team believes that the law school cannot demonstrate that its grades accurately measure student performance.

With regard to consistency in the application of the grading standards among members of the faculty, the school did institute an administrative review of grades before their release, in which the administrator inspected the faculty's tentative returned grades and discussed the grades with the dean and the instructor if the administrator determined that the grades appear to be abnormally high relative to student achievement. However, this policy is subjective, unwritten, and is neither data-driven nor conducted by an individual with experience in grading. Therefore, the law school has not demonstrated that it has improved the consistency of its grading.

Compliance issues related to Guideline 5.18 are described in detail in the following section 14.

14. Guidelines 5.18-5.20 (2020): To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines.

October 2023 Status: The law school's policies on advancement and probation are not compliant with Guidelines 5.18-5.20, which enumerate requirements related to scholastic standards, ~~academic standing, disqualification,~~ advancement, graduation policy, and evaluation of students for advancement and retention. When a PCL student fails a course, PCL's policies state that students may raise grades by doing additional extra credit work with the permission of their instructor and the Faculty Curriculum Committee. Allowing extra credit or extra time that will conflict with study in future semesters does not satisfy the Guideline 5.18 requirement that a law school identify and disqualify those students who have

demonstrated they are not qualified to continue as soon as possible.

Under Guideline 5.20, students who do not meet the required grade average should not be allowed to earn academic credit by circumventing those expectations, and under Guideline 5.19, if special circumstances and good cause exist, they should be placed on probation and given clear expectations.

15. Guideline 5.24 (2020): To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline.

October 2023 Status: PCL is not compliant with Guideline 5.24, which outlines the necessary components of a written course repetition policy. The policy stated in the 2023-2024 Catalog does not identify the specific circumstances under which a course must be repeated as required by the guideline, though it more clearly describes the effect on advancement than the prior policy. The policy also fails to state the effect that repetition will have on the student's grade point average, also required by Guideline 5.24.

16. Guidelines 6.2-6.4 (2020): To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the committee; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of the syllabi attached to the self-study did not validate that statement.

October 2023 Status: The law school is not compliant with Guideline 6.3, which requires it to provide students with instruction in both physical publication and electronic-based legal research. While it has now purchased the library volumes required by Guideline 6.2, the interim dean indicated that the law school does not provide students with legal research instruction in both physical publication and electronic-based legal research in a mandatory and regularly offered course, despite a prior assertion to the State Bar that it did so. The interim dean acknowledged in correspondence to the State Bar during the October 2023 inspection that PCL's Catalog states that legal research is taught in several courses "but that this is not reflected in actual instruction."

17. Guidelines 7.1 and 7.2: (2020): To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students.

October 2023 Status: The school appeared to be compliant with Guidelines 7.1 and 7.2 at the time of the inspection. The team observed that PCL's facilities contained instructional equipment in

working order. Hard copy records were stored on site in fire-safe lockable cabinets. Many of the school's records were stored digitally on several online platforms with various degrees of security. Of greater concern is the fact that the files stored appeared to be incomplete because the law school failed to collect or check the required materials.

18. Guideline 9.1 (2020): To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D).

October 2023 Status: PCL is not compliant with Guideline 9.1, which states a law school must maintain complete and accurate records of its programs and operations and these records must be readily accessible to the law school's administration and the committee. A common thread across almost all compliance issues was the failure of PCL volunteers and personnel to create, document, implement, and continually update sound processes, with clear timelines for action, to achieve and sustain compliance. This message has been conveyed across multiple periodic inspection reports and each month during probation.

A written policy has been adopted on transcript changes, but PCL lacks written policies and procedures on record-keeping and retention. Records are not consistently collected and maintained to be accessible and protected against loss, destruction, and corruption, and inaccuracies continue to create issues that affect compliance and impede student academic progress.

For example, as mentioned in section 12 on Guideline 5.8, summer 2020 courses were omitted from one student's transcript; the law school had to call faculty and accept their representations as to whether the student attended because the law school lacked any records of their participation. According to the Administrator, missing and incomplete documents were the result of the transition to Populi in which documentation was not accurately transferred to the system in 2020, and those changes were not effectively reviewed for accuracy. The State Bar ordered a transcript review, and an additional error was discovered in which another student's transcript showed a failing grade due to non-attendance that was inaccurate.

At least one former student has yet to receive their diploma after graduating in spring 2022. The student expressed frustration in a public comment at a Committee of State Bar Accredited and Registered Law Schools meeting. PCL's administrator stated that he submitted all spring 2022 diplomas to the dean and board president for signature, never saw the diplomas again, and did not know their status.

Also, the administrator could not locate the readmission file of a particular student requested by the State Bar, who had been previously academically disqualified. That student's transcript did not include the required information about the student's FYLSX history, as required by Guideline 9.1(D (7)).

Issues related to the law school's Catalog persist, as described above. Since 2020, catalogs have contained outdated material and were posted in obviously incomplete status.

Despite continuous turnover of personnel and volunteers, the school lacks written procedures to orient new staff about how to maintain accurate records in compliance with Guideline 9.1.

To bring itself into full compliance, the school must ensure that its records are fully compliant with Guideline 9.1 and that it has adopted written procedures—including oversight provisions—with respect to record-keeping processes and record retention requirements as required by Guideline 9.1(D).

Several priority tasks are enumerated below:

Admissions and permanent student files must be regularly maintained pursuant to the requirements of Guideline 9.1(A) through (C). The school should ensure that all mandated documents are collected, evaluated, and stored in student files, including official transcripts establishing eligibility for admission in accordance with Guideline 5.30. Files must include memoranda documenting all academic, administrative, and disciplinary decisions, including any disability accommodations granted by the school, or reasons why academically disqualified students were accepted.

Rule 4.241 Disclosures must also be included, and easily accessible in student files. In one recent instance, it took the law school eight months to complete an audit of student's signed disclosure documents – an indication that the records were not easily assessable as required.

Academic records should be timely prepared and available for their intended purpose. To be fully compliant, the school must ensure that the files of all PCL students, both past and current, contain an accurate, up-to-date, permanent transcript compliant with Guideline 9.1(D). The school must also ensure regular compliance with the several types of class records listed in Guideline 9.1(E), as well as maintenance of class records data for all current courses, including final grades, as required by Guideline 9.1(F). Faculty files must be reviewed and updated annually to include all information outlined in Guideline 9.1(H), including but not limited to transcripts of legal education and evaluations. The law school did not provide comprehensive faculty evaluation materials during the inspection.

CONCLUSION

The law school has not shown that it can engage in the sort of consistent planning and execution required of a registered, unaccredited law school. As highlighted throughout the report, PCL has not resolved the compliance issues raised during the 2020 inspection and while on probation. Of the 22 guidelines identified in the 2020 inspection report, the school remained noncompliant on 16, and 11 additional compliance issues were observed in 2023. As such, the school is not compliant with Rule 4.240 (N) which requires a law school to demonstrate compliance with committee requirements.

This affects the law school's ability to deliver a sound program of education in all aspects. For example:

1. The law school has been unable to assemble a team of volunteers and paid staff with the experience and capacity to establish and sustain compliance. An election and change of board members were intended to bring about improvement in 2017. In addition, since 2020, five deans and five administrators also sought to improve the law school's performance, but compliance issues remain.

Relying on annually elected board members who are not recruited for the skills needed, and volunteer faculty who lack sufficient time and dedication, has resulted in inconsistent procedures, succession planning, and strategy, and, more recently, financial uncertainty.

2. PCL lacks appropriate administrative oversight to ensure a quality law education for its students. For example, lack of oversight permitted at least one student to take additional courses during his first three years without adequately planning a course of study for the fourth year; the law school did not prioritize creating those courses until it received multiple communications from staff and the committee, and it communicated minimally with the student as to the terms of the study available.

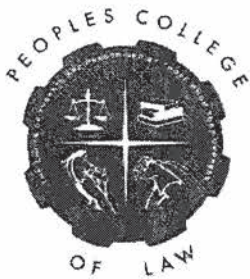
The law school also appears to allow students multiple options to continue studying when they should be dismissed. As a result, students have been allowed to proceed to subsequent years of study without fully understanding whether they are making satisfactory progress toward licensure.

3. The school lacks honest communication with its students and prospective students. The Catalog, website, 6061.7(a) Disclosure, and Rule 4.241 Disclosure are inaccurate or incomplete. Students' refunds due to inaccuracies in Rule 4.241 Disclosures for the 2022-2023 school year were not issued timely, and the law school has yet to establish whether it complied during the period of 2020-2022, missing its own deadlines to complete a Rule 4.241 Disclosure audit on two occasions.
4. PCL lacks sound faculty oversight. PCL admits that it has limited control over its volunteer faculty who operate without contracts and with minimal training. Grades and syllabi continue to be provided to students late. Faculty evaluations do not provide sufficient feedback for improvement.
5. PCL's curriculum does not provide a sound legal education. The inspection team was unable to verify that the curriculum meets State Bar requirements, such as the number of units required for graduation. Courses are offered on an ad hoc basis depending upon who is available to teach, rather than according to a coordinated plan. Review of subject matter, syllabi, exams, and grading appears ad hoc and is conducted by individuals—including students and administrators—who lack the necessary experience and expertise.
6. The school's record-keeping process is inadequate, resulting in serious consequences for

students. While PCL began using a commercial learning management system, it failed to implement a quality check process to verify that courses and grades were entered adequately. When the first mistakes were discovered, the law school did not attempt to verify all potentially affected records until the State Bar required it to do so, and additional errors were discovered. Rule 4.241 Disclosures which should have been readily available in that system took months to gather, and many files were missing or incomplete.

In addition to an unsound education, student outcomes and satisfaction are poor. While 19 students have graduated since July 2017, just REDACTED have obtained licensure. For the 2022 academic year, none of the first-year students continued to a second year with PCL. There are at least three legal matters pending against the law school and REDACTED more students shared complaints with the State Bar since August 2023, despite having only seven students enrolled. The interim dean indicated she does not have a clear communication plan to deal with student complaints.

After thorough evaluation and inspection, the inspection team concludes that PCL is not in compliance with the Rules and Guidelines.



Peoples College of Law

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"Over 49 Years of Educating People's Lawyers"

**PEOPLES COLLEGE OF LAW'S
RESPONSE TO THE STATE BAR OF CALIFORNIA'S
OCTOBER 2023 INSPECTION REPORT REGARDING
PEOPLES COLLEGE OF LAW**

RESPONSE TO THE STATE BAR OF CALIFORNIA'S OCTOBER 2023 INSPECTION REPORT REGARDING PEOPLES COLLEGE OF LAW

I. INTRODUCTION

The American legal system in the twentieth century up until today has been plagued by the specter of the role played by wealth in its premier legal institutions: the law schools and the courts. Generally, this corrupting factor has forged ahead without much debate, let alone correction. Still, the problem exists. Occasionally, a legal magazine, a law review post, a legal conference will detail the harsh reality that the American legal system denies access to most of the people under its jurisdiction. It seems as if most people in the field intuitively know that legal services are out of the price range of most people, and, therefore courts of law are not accessible to most people. The inevitable result of this dynamic is that vital issues affecting poor/middle litigants are decided without their informed input.

Legal education is also the province on the wealthy. Poor and middle class people with a desire to practice law are thwarted at every turn by the overwhelming cost of the education. Ironically, it is the very people that law schools tend to shun who are best equipped to understand and appreciate the great task of giving ordinary folks access to legal representation in the courts. The Peoples College of Law entered operation as an unaccredited law school in the summer of 1974. The School came into existence as the brain child of groups and individuals interested in fulfilling the American legal principle of equality under the law.

The Peoples College of Law ("PCL") addressed the problem of the underrepresentation of financially limited persons in courts of law by opening a law school accessible to those who are interested in representing the poor. The school specifically sought out students who voiced and/or demonstrated concern for social inequality in general. The school was also committed to obtain a student body consisting of the disadvantaged, mostly minorities, and, of those, half were to be women.

In order to make the school affordable to these committed persons, the tuition per student was \$300.00 for each semester. As a result of the low tuition the School operated on a shoe string budget. Professors received a mere ten dollars per hour (\$10.00). The operation of the school was conducted by one registrar who volunteered her services. All of the functions of the school such as recruitment and admission, faculty/curriculum and other activities were performed by students. Costs were cut simply due to the school's desire to make legal education affordable to all who desired to learn the law.

As uneven and chaotic as this dynamic was, the School continued on its path of graduating Peoples lawyers for several decades before the Committee of Bar Examiners (CBE) was mandated to oversee the operation of unaccredited law school in January of 2008. Prior to the arrival of the CBE, the Peoples College of Law sailed through decades under the supervision of the Department of Consumer Affairs. PCL went about the business of producing "Peoples Lawyers".

The Peoples College of Law's first class in 1974 contained sixty first year students. Of these many became licensed to practice law. Over the next four decades plus, PCL continued to graduate students who passed the California Bar Exam. Most of these students would not have completed a legal education qualifying for the Bar Exam in any other setting. Their educational and financial condition prevented access to accredited law schools. Without the presence of a law school like PCL, a portal towards the practice of the law is closed to a class who presence is desperately needed in the courts of California. As noted PCL functioned as a law school for several decades before the "Notice of Noncompliance" was handed down by the CBE. During the time preceding the disciplinary action, PCL functioned without any incidents producing scrutiny. The school moved forward on its mission.

PCL is well aware that its operational model is not in conformity with the strict letter of the Rules the CBE seeks to enforce.

Nevertheless, PCL is endeavoring to modify its operations so that it is in substantial conformity with the Rules governing its functions. PCL stresses that its functioning has always been motivated towards providing disadvantaged students with the opportunity to practice law; this primary motivation necessitated the use of volunteers. Today, and for several years before professors taught without financial remuneration. Additionally, it should be noted that when the school received its "Notice of Noncompliance" in 2020, it marked the onset of the COVID pandemic. As a result, PCL was faced with the difficulties of ironing out its untidy practices, while, at the same time, converting from an onsite educational facility to a vicarious teaching environment facilitated through classes conducted via Zoom. This double-edged sword proved far too difficult for PCL to maintain.

PCL does believe that it can right the ship and function under the good graces of the CBE. We ask for the CBE's patience and goodwill. PCL earnestly seeks to provide a legal education for those whose educational and economic conditions bar their attendance at most law schools. PCL provides this avenue because it believes that these students may flood the courts with lawyers able and willing to represent the many who have been deprived of legal representation due to a lack of financial resources.

This model is the only functioning concrete endeavor focusing on the need to supply the underrepresented with legal representation. PCL has produced many attorneys who fill agencies whose purpose is to bring representation to the needy. Closing the school on account of its perceived failure to keep accurate records, itself a product of its low tuition, is unreasonable. The school can make corrections, and should be allowed to do so.

II. PCL CURRENTLY

PCL currently has a student body of 7 students. All identify as persons of color and most attend PCL because they are barred from attending other institutions based on their status as non-traditional students. They are parents to young children, full-time working professionals, survivors of the criminal justice system, survivors of poverty, immigrants and children of immigrants. All of PCL's current students are survivors of PCL itself, having endured many years of study beyond that of the typical law student, enduring and persevering until they pass

the Baby Bar (FYLSX), a process that often takes several attempts, significant financial resources, and many additional years committed to their goal of becoming attorneys. These particular students are especially tough, enduring law school through an unprecedented global pandemic, social uprisings, and stay-at-home orders that forced their law school to transition to an online learning format after 50 years as a fixed-facility learning institution. Many students who originally chose PCL for its status as a fixed-facility were quick to find other law study programs that had existed as distance learning schools before the pandemic. These schools had more expertise in remote-learning and were often cheaper.

After nearly 3 years of struggling with not only running a law school remotely, but also managing staff and overseeing operations remotely, all the while with almost nothing but unpaid volunteers, PCL had to quickly return to its current facility after it had sat vacant for years. Due to old damage from fires, rain, and a homeless encampment that had to be moved out by police, the volunteers of PCL quickly got to work trying to make maintenance improvements such that the students could return to a comfortable learning environment. With a yearly investment of roughly REDACTED, PCL invested in necessary requirements to meet library needs.

Just when PCL thought it was beginning to turn itself around, the dean left her employment abruptly. The timing of her departure had a deeply negative impact, as PCL was only weeks away from an inspection and had many pending items due to the State Bar, including a massive request for document production in advance of the inspection. The administrator was tasked with doing not only his own job duties, but those of the dean. With approximately 2 weeks until the inspection, an interim dean was hired in the hopes of bringing organization and leadership to the school. With a glimmer of hope and a relentless intrinsic nature to keep going, employees and volunteers did their best to meet compliance demands while the interim dean informed herself of the many issues that PCL needed to overcome to remain in operation. Endless hours have been spent trying to improve the school's operations, improving lines of communication with faculty and students, establishing clear expectations and protocols for faculty and staff, making maintenance improvements to the school, its website, its policies, manuals, and handbooks, all while trying to meet compliance needs. Constantly saddled with the worry that the State Bar might close down the school, the impact of this level of stress on any organization would be expected, on PCL, an organization of 2 employees, the impact has been profound; the intensity of the pressure cannot be explained and has expressed itself in the mental and physical well-being of its employees and volunteers. Nonetheless, PCL has continued in its goal to gain and maintain compliance.

Significant improvement have been made in the 2 months since the interim dean has been hired. Final exams were properly administered, with faculty submitting exams ahead of time for review by the Faculty and Curriculum Committee (FCC); the website has undergone weekly updates in efforts to bring it to complete accuracy; disclosures were timely provided to students in advance of the new quarter; new faculty were recruited, interviewed, and hired in time to provide timely syllabi for the winter quarter; with the FCC's oversight and agreement that there were no negative long term effect to future course rotations, a course schedule was organized that fulfilled not only the needs of a transfer student who has taken most of PCL's class offerings but also a request by the 3L students that a class from their cluster plan be offered early.

While PCL recognizes its recent efforts, it also understands that its current status as on probation with the State Bar has been 5, arguable even 15, years in the making. The Peoples College of Law desires nothing more than to partner with the State Bar to improve its practices and continue to remain in operation, if only long enough to allow its current students an opportunity to finish their legal education. PCL would like the State Bar to consider a formal “teach out” option by which PCL will be allowed to remain in operation for at least long enough to allow its current students a meaningful chance to graduate and accomplish their J.D.s

III. COMPLIANCE ISSUES OBSERVED DURING THE PROBATIONARY PERIOD AND THE OCTOBER 2023 INSPECTION THAT WERE NOT ENUMERATED IN THE 2020 INSPECTION REPORT, LISTED BY LETTER;

A. Rule 4.241

Rule 4.241 states that a registered law school must provide each student, in the format required by the committee, a disclosure statement that includes a specific set of information enumerated in the rule and the student must sign the disclosure and receive an executed copy before making a payment to the law school.

In compliance with Rule 4.24, disclosures were provided to the students for the Winter 2023 quarter. Checks and balances have been put into place at PCL requiring students to sign the disclosure statement, currently via DocuSign, prior to being able to enroll in classes. A procedure has been established for the proper dissemination, signing and record keeping of disclosures. The current practice requires that the administrator receive a copy of the signed disclosure, and ensure one is provided to the student, before officially enrolling the student in their appropriate classes or accepting payment.

PCL was required to extend its timeline regarding the disclosure audit due to the untimely departure of Edith Pomposo, who left the school abruptly and without advanced warning. From the period of time from September 11, 2023, to September 27, 2023, PCL had no dean and it would not have been possible for the school to complete the audit by its originally intended date of September 25, 2023. The interim dean, who was hired and began work on Thursday, September 28, began a period of preparation for the inspections taking place the following week. The audit had to be rescheduled until such a time as the process could be done completely and accurately. Due to having been recently hired, the interim dean lacked the institutional knowledge and familiarity with PCL’s software, databases, and record keeping systems to be able to contribute to the audit process at the time of PCL’s originally stated deadlines. As of the date of this report, the interim dean has only been employed by PCL for 2 months and is responsible for a magnitude of varied, complex, and detailed job functions that are all very demanding of time. As such, the process of completing the disclosure audit has been necessarily prolonged. As of the time of this writing, the interim dean has provided to State Bar staff a list of names of students who have been identified as someone for whom PCL does not have a signed disclosure on file for at least one term.

In regard to the State Bar’s request that PCL review its Rule 4.241 disclosures for all students who attended school during the 2020 to 2021 and 2021 to 2022 academic years, PCL has been

able to verify that it did disseminate, and that students did **receive** appropriate disclosures at least once during each academic year of 2020-2021 and 2021-2022.

Rule 4.24(E) states that a refund is owed to students who did not **receive** a disclosure statement, not those who did not **sign** a disclosure. The Rule states “A law school that does not comply with this rule must refund all fees, including tuition, paid by a student who did not **receive** the disclosure statement.” The distinction in this rule between the word “sign” and “receive” is important as it will help distinguish who is owed a refund and who is not.

A question remains as to whether the word “term” refers to a quarter or an entire academic year. Rule 4.24 (B)(2) states that the “disclosure statement must be provided to each returning student, prior to payment of any fee for an **academic term**.” The definition of this word will greatly impact the refund process, as PCL has signed disclosures on file for most students for at least one academic year and has record of receipt of disclosure by all students for at least one academic year. A prior dean has asserted that, while he was dean, he interpreted the meaning of the word “term” to mean one academic year.

Additionally, there is a question as to how long a signed disclosure remains effective before a new disclosure is required to be signed. Currently, disclosures are more frequently updated due to advisement from State Bar staff that PCL needs to include “all of the committee’s notices related to noncompliance, including the probationary notices.” However, prior to each respective date upon which PCL was issued the notice of noncompliance and notice of probation, the information required to be included in the disclosures did not change as often. Would a student’s receipt of an accurate disclosure or a student’s signature on an accurate disclosure be effective for a longer period of time or more than one term if the information required to be stated in the disclosure remained unchanged? PCL believes it should.

As PCL considers these distinctions with the assistance of State Bar staff, it will finalize calculating how much is owed in refunds to each of the students who has been identified as someone for whom PCL does not have a signed disclosure on file for at least one term.

In the October 2023 Inspection Report (“Report,” “Inspection Report”) State Bar staff states “The inspection team also discovered that the law school included additional information along with the Rule 4.241 Disclosure that did not appear to be accurate. For example, In fall 2023, the document that students are required to sign before payment of any fee for an academic term asked students to confirm they had received their class schedules when neither the schedules nor the professors had been fully identified and not all syllabi were available until the end of the first night of class.”

PCL includes the disclosure statement as part of its Student Tuition, Enrollment, and Registration Agreement, which students are required to sign before making a payment. The agreement includes language that states that a student’s signature on the agreement verifies “that (the student) ha(s) been given a schedule of classes for the first quarter after the date (the student) sign(s).”

Students were provided with a class schedule via email by former dean, Edith Pomposo, on

August 24, 2023. The class schedule stated the class names and the day of the week that each class was to take place. Without a clear definition of what a complete class schedule is supposed to consist of, and considering that this language on the agreement is included voluntarily by PCL and not because it is required by the State Bar or the Rules or Guidelines, PCL does not agree with the State Bar's assessment that the information was inaccurate. (ATTACHMENT A)

In the October 2023 Inspection Report, State Bar staff states, "The disclosure also linked to the State Bar's exam outcomes page as a means of showing performance on exams, but the page does not state PCL's pass rates. The law school should have included the pass rates in the disclosure.

PCL has regularly included pass rates in its disclosures, including the Fall 2023 disclosure. The Fall 2023 Student Tuition, Enrollment, and Registration Agreement, which includes disclosures, includes FYLSX and CBX pass rates. An image of the passage rate tables included in the Fall 2023 agreement is attached. (ATTACHMENT A1)

B. Guideline 2.2(C):

Guideline 2.2(C) states a law school must establish reasonable safeguards against financial fraud and other financial improprieties.

PCL has made efforts to improve the protection of its digital files. For many months, PCL has been using a password protection app which is ISO 27001, SOC2 Type II, SOC3, BSI C5, TRUSTe compliant. PCL has also begun a trial period with an SOC2 compliant file transfer system, 2 Transfer, and data storage system, C2 storage, in order to ascertain if it suits PCL's needs.

C. Guideline 2.9 (E):

Guideline 2.9(E) requires a law school to advise each student of their final grades within a reasonable time after the student completes the course.

All Fall 2023 quarter final grades were submitted on time. The administrator has strengthened his lines of communication with the faculty and has begun reaching out to them earlier to remind them of upcoming deadlines.

The law school has previously failed to provide proper oversight to the administrator's position, but the addition of the interim dean's experience with over 20 years of management will help create procedures that allow the school to improve supervision. Faculty requires more direction and guidance which has not been provided consistently by all administrators. The school hired the interim dean specifically for her background in management and business organization. Already, with improved communication with the faculty, and clear guidelines and expectations communicated in a timely fashion, the school has seen improvement.

PCL began the process of considering paying faculty and/or requiring the use of faculty contracts around October of 2023. Research was done by a Community Board member to review

contracts provided to faculty at other schools. Sample contracts have been procured and are being utilized as a reference while PCL creates its own professor contract.

D. Guideline 4.2:

Guideline 4.2 states that a law school must have a competent dean and a competent faculty devoting adequate time to administration, instruction, and student academic counseling.

PCL's faculty all hold J.D.s. Of PCL's 13 faculty for the 2023-2024 academic year, 11 out of 13 are licensed attorneys. All of the faculty is regularly available to the students for academic counseling.

The interim dean brings years of experience to the position, having worked in for-profit business management of children's educational centers and programs for over 15 years. Her experience includes curriculum development and lesson planning. She has lead and trained staff of up to 70 employees at a time, creating employee manuals and training curriculums. She is a licensed attorney who has taken and passed both the First Year Law Student's Exam and the California Bar Exam. She has taken and passed all subjects tested on the California Bar Exam. Since the time of the inspection, both the interim dean and the administrator have participated in the Annual Registrars' Meeting for All California Law Schools on October 19, 2023. This meeting is an informational session that the State Bar described as a meeting to "discuss topics affecting the registrar's office, including current and planned changes in State Bar procedures, and new developments related to rules, the applicant portal, and records." Both the interim dean and the administrator learned a lot at this meeting and found it to be a very valuable resource in continuing to improve their roles.

The dean's role at PCL includes collaborating with the FCC, which consists of nearly all licensed attorneys, many of whom have backgrounds in higher education. The FCC plays an intricate and critical role in curriculum and exam development, grading, and faculty training. The FCC has guided the school's academic program to its highest FYLSX and CBX passage rates in at least a decade. A reliable faculty manual also helps guide faculty expectations.

Former Dean Pomposo did not fulfill a plethora of job functions for some time before she departed from the school. Her untimely departure had a greatly negative impact on PCL's operations and on its ability to timely meet compliance requirements. PCL believes that Pomposo may have informed the State Bar that she was leaving PCL before even notifying PCL of the fact. PCL would like more information concerning the impact of Ms. Pomposo's statements to the State Bar implicating her integrity, and by easy extension, the integrity of the School.

In its report, the State Bar states, "Mr. Aramayo was not aware of basic information that is critical to the registrar role, such as the number of credits needed to graduate."

PCL requires 114 total quarter units to graduate (33 quarter units in 1L year, 27 quarter units for each subsequent year). It is important to note that PCL adheres to the Business and Professions Code's requirement of 270 hours of instruction per year. Nearly all of PCL's handbooks, manuals, and published materials make reference to the requirements of PCL as being based on the 270 hours and not on the amount of units required. Similarly, there is nearly no mention of

units, though the 270 hour requirement is discussed, in the Title 4 Admission and Educational Standards, Division 3 Unaccredited Law School Rules ("Rules") or the Guidelines for Unaccredited Law School Rules ("Guidelines")

This statement that Mr. Aramyo is not aware of basic information is inaccurate and misleading. As both the staff and the Committee of Bar Examiners is aware, unaccredited institutions have a different set of rules and considerations imposed on them. It is entirely possible for a student to attend PCL and achieve the necessary amount of units towards graduation without attending for four years. Added to this, PCL sometimes expands unit load (for example in the second quarter of the first year) and this combination of different factors can sometimes lead to confusion. The governing rule, therefore, is that a law student needs four uninterrupted years of legal study, at a 2.0 GPA, and with 270 hours per year of instruction. The Report erroneously implies that the rule dictates units with regard to other considerations. The makers of the Report want to simultaneously hold the school accountable under special requirements while conveniently forgetting them when they apply in answering a specific question.

Furthermore, Administrator Aramayo clearly answered the question: the governing rule refers to the 270 hours of instruction and there have been cases when individuals have attempted to be certified for the Bar Exam, with the requisite number of "units," but have been denied certification because they did not possess the requisite number of instructional hours. This answer was ignored in favor of misreporting his answer.

The statement that the Administrator does not possess experience "such as course scheduling, determining eligibility for admission and graduation, reviewing students' academic progress, preparing compliant reports and disclosures, and maintaining student records," is once again misleading. Eligibility and admission is determined by a combination of school policy and Bar rules. Course scheduling is likewise also implemented through a pre-existing course map created by the FCC and master schedule created by the dean or FCC. There is no need for special training to schedule a class, though once again Bar staff simply implies there needs to be.

Finally, in terms of maintaining student records, the Administrator wants to make the undisputed facts clear: since he has been at PCL, multiple students have been cleared and certified to sit for the FYLSX and the California Bar Exam. That is to say, the California Bar itself has validated the Administrator's work. The mistakes that have been present in student records have been corrected and the Administrator has taken pains to reach out to students while maintaining transparency to State Bar staff.

This report simply repeats the tactic of implying there must be inadequacy by looking at the Administrator's work background in lieu of actual evidence that the record keeping process has not improved. In fact, record keeping has improved.

The State Bar further states: "Though the interim dean advised that she has a list of 88 potential faculty, PCL has struggled to fill its faculty positions and retain teachers."

PCL was able to engage and hire faculty for both the winter and spring 2023-2024 quarters within one month of the interim dean's hiring and over a month before winter classes began.

Given that the interim dean had only been hired for about one month at that point, reliance on the faculty list was essential. A statement made in the report that that PCL has struggled to retain teachers, is not accurate. Of the 8 classes offered in the Fall of the 2023- 2024 academic year, 6 of the instructors were returning from previous years. Of the 10 classes offered this winter quarter, 7 of the instructors are returning instructors.

In the Inspection Report, State Bar staff frequently mentions that an Evidence instructor “quit” but this is not true. A class was canceled at the beginning of the quarter but it was an elective trial advocacy class, not an Evidence class. All of the Report's discussion of an Evidence class being canceled is inapposite, inaccurate and highly misleading. The conclusions the Report draws on this assertion are likewise flawed. Evidence was not a substantive course being offered for the 2023–2024, as is evidenced by the attached cluster plans (Attachment D and D1) and over 5 years worth of faculty recruitment flyers sent out by the FCC from 2018 to 2023. (Attachments D2 -D8) These flyers demonstrate that Evidence was never intended to be offered in the 2023-2024 school year, as the report asserts.

The Report states, “This last-minute change had a negative impact on students. In a meeting with students during the inspection, one student stated they wished to apply to be a certified law student under the State Bar’s Practical Training of Law Students program but were unable to do so due to the delay of the Evidence course, as they must enroll in Evidence to do so.”

The assertion that this student’s ability to be a certified law student was hindered due to an Evidence course that was canceled at the last minute is not true. It has long been the case that evidence is offered in adherence with the cluster plan because PCL does not have a large enough student body to support it being offered every year. A student who had a similar question about evidence before the quarter started posed her question to the former Dean Pomposo prior to the beginning of the quarter in an email, redacted for privacy and attached here as ATTACHMENT D9, and the student as informed at that time that evidence was not scheduled to be offered until the next year. ATTACHMENT D91

E. Guideline 4.7

Guideline 4.7 states that instructors must continually strive to improve their teaching skills and expertise in the subject(s) they teach.

PCL’s faculty strives to improve their skills and PCL provides faculty with comprehensive faculty meetings and trainings. While these trainings took place more frequently pre-pandemic, PCL held faculty meetings and training in 2022 and PCL is conducting a faculty training workshop focused on exam creation and grading this winter quarter of 2023. The agenda from a faculty meeting is attached (ATTACHMENT E) and a faculty exercise in grading that was completed at a separate faculty training is attached as well (ATTACHMENT E1).

F. Guidelines 5.1 and 5.2

Guidelines 5.1 and 5.2 state that the law school must maintain a qualitatively and quantitatively sound program of legal education.

PCL's JD program is coordinated, organized, and adheres to a course rotation developed by the FCC. (Attachment D) Faculty is provided with training and PCL has a significant faculty review process which allows for further opportunities for development.

The report rehashes wrongful assertions regarding an Evidence course which was never planned to be offered in the 2023-2024 school year. (Attachments D-D8)

The report states that the law school was unaware of a responsibility to offer 6 hours of practical skills training but this is incorrect. The FCC was aware of this requirement, which is why elective selection prioritized practical skills training courses. See faculty recruitment flyers from 2018—2023 (Attachments D2 -D8) all of which have some form of "competency/trial advocacy" listed along with the elective slot. Summer internships were all aimed to satisfy this requirement as well. It wasn't "happenstance" that we "met the requirement", but rather by design and existing practice.

PCL adopted a grading guideline provided by the CBE following the 2020 Report. The State Bar provided Dean Emeritus Spiro with a grading curve scheme that PCL implemented. The current grade review process in the handbook was created to comply with the State Bar's concerns of grade inflation. PCL has test grading rubrics that are held as a model for grading, and faculty trainings have been held regarding using rubrics for test grading, with another training planned for the winter quarter specifically to cover test grading and exam creation.

G. Guideline 5.11

Guideline 5.11 states that a law school must offer a balanced and comprehensive course of study with materials presented in an organized and logical manner and sequence.

PCL's JD program is coordinated, organized, and adheres to a course rotation developed by the FCC. The attachment is PCL's cluster plan, which dictates when course are offered based on purposeful planning by the FCC. (Attachment D)

As stated under D. Guideline 4.2 above, the report rehashes wrongful assertions regarding an Evidence course being offered out of sequence.

PCL students are able to take electives in a variety of legal topics. Electives are expressly part of PCL's cluster plans. Clinical courses provide additional variety and, this winter quarter, 3L students have the opportunity to choose to take an elective in Employment Law in addition to their substantive classes. Our cluster plan consistently offers both the substantive course and the electives. The Report is gravely mistaken here in all its assertions.

H. Guideline 5.12:

Guideline 5.12 states that a law school should offer instruction in various practical skills.

PCL offers a variety of courses that offer instruction in practical skills. For example, trial

advocacy was offered in 2017 and again in 2023. An employment law elective with a practical component was held in 2017-2018; in 2019-2020 the instructor of a special education course provided practical skills in pleading style work; there was a trial advocacy course in 2020-2021 and two summer clinical courses that year; a transactional track clinic was offered in 2021-2022 where the students worked on pleadings and practicum-style work. During the Fall 2023 quarter, PCL offered a family law externship, a course in trial advocacy, and a course in advanced criminal defense litigation which offered students an opportunity for practical learning in legal research, help preparing motions, development of defense strategies, preparation of trials, and fact investigations.

I. Guideline 8.1

Guideline 8.1 states that a law school must have adequate present and anticipated financial resources to support its programs and operations.

PCL has provided budget forecasting to the State Bar through the year of 2026, which will support our abilities to teach out our current upper division students and support our current 1L in taking the FYLSX before potentially transferring to another institution if PCL is not allowed to stay open long enough for the 1L to graduate from the institution.

IV. STATUS UPDATES RELATING TO THE LIST OF ACTIONS IDENTIFIED BY THE COMMITTEE FOLLOWING PCL'S 2020 INSPECTION, REQUIRED FOR THE SCHOOL TO ACHIEVE AND MAINTAIN COMPLIANCE, LISTED BY NUMBER.

1. Guidelines 1.9 and 2.10 (2020):

PCL has a disability accommodations policy which has recently been reviewed by a disability attorney for compliance with applicable laws and best practices. The PCL Community Board approved additions to the policy, including a recusal and conflict of interest policy and a policy that further clarifies that student committee members and/or student board members are not to participate in the accommodations request process. PCL believes that the adoption of these formal policies fully satisfies the disability accommodations and student privacy concerns expressed by the State Bar Inspection Staff.

Previously, PCL relied on the language in its Student Privacy Policy, which requires that the Administrator, Dean, officers, members of committees, member of the community board, employees, and faculty are to exercise "adequate caution" when speaking about students and student situations at PCL. "Adequate caution" in practice at PCL has included setting student issues at the end of a board meeting agenda and then addressing the issues in a closed session or closed meeting without student members present.

PCL's policy now expressly prohibits involvement by student board and student committee members. The policy states:

No student (including student members of PCL committees, the Community Board and the Executive Committee) shall participate in any of the functions, deliberations, or votes relating to any accommodations request, unless, before participation by any student, the student who submitted the request consents in writing to participation by students in those functions. If a

student's private health information is discussed in any context during a committee meeting or Community Board meeting, meeting minutes shared with student board or committee members will be redacted to protect the student petitioner's privacy.

PCL now has a formal policy regarding recusal and conflict of interest:

Members of committees and the Community Board should recuse themselves from deliberations, functions, or votes relating to any accommodations request where the member's impartiality in the deliberation, function, or vote might be reasonably questioned. Members who recognize a conflict should notify the other members of the committee or Community Board of their intent to recuse themselves of any matter where they believe a conflict may exist, and state their intent to seek recusal on the matter. If a member should choose to recuse themselves, the member should inform the committee or board Chair as soon as practical in a way that would not compromise or jeopardize the student's right to impartial deliberations, functions, or votes.

PCL has adopted an additional policy to create clear expectations of instructors in regard to disability accommodation:

School administration will provide express written notice of the accommodations that a student should receive to necessary individuals, such as an instructor or exam proctor. The notice will not disclose any other information. Information shared with an instructor or exam proctor relating to the student's disability should be limited to the contents of the notice and the directives in the notice are to be followed. The instructor/ exam proctor should not share the contents of the notice or divulge the student's status as receiving accommodations with anyone without the accommodated student's express consent.

In the Inspection Report, State Bar staff reports "ADA policy created in 2020 was not implemented until the beginning of 2023." PCL refutes this statement, as the creation of the policy in 2020 was also the implementation of the policy. It is possible that there have been challenges to the policy and/or failures by others to adhere to the policy, but this does not mean that PCL did not implement the policy until after that time. For many students who receive and have received disability accommodations at PCL, the policy has functioned as it is intended.

In the report, State Bar staff state: "Another student filed a complaint because the school's policy did not clearly indicate what documentation the school required to request an accommodation."

Since at least 2021, PCL has clearly stated what documentation is required. The following is an excerpt from the Handbook of Rules and Policies from 2021:

"A student who has a disability, long term or short term, and wants an accommodation for it at PCL in taking exams or doing other academic work, must submit a written request for accommodation to the PCL Administrator. The request must state (a) what the disability is, (b) how it interferes with the student's ability to take exams or do other academic work, (c) what accommodations are requested and (d) how long the student requests the accommodations to be in effect. The request must be accompanied by a statement from a physician or other qualified professional stating, at

a minimum, what the disability is and what accommodations should be given. ”

As of October of 2023, in regard to documentation, the policy stated:

“A student who has a disability, long term or short term, and wants an accommodation for it at PCL in taking exams or doing other academic work, must submit a written request for accommodation to the PCL Administrator. The request must state (a) what the disability is, (b) how it interferes with the student’s ability to take exams or do other academic work, (c) what accommodations are requested and (d) how long the student requests the accommodations to be in effect. The request must be accompanied by a statement from a physician or other qualified professional stating, at a minimum, what the disability is and what accommodations should be given. ”

Currently, in regard to documentation, PCL’s disability accommodations policy states:

“The student must submit a written request for accommodation to the PCL Administrator. The request must state (a) what the disability is, (b) how it substantially limits one or more major life activities as broadly defined in 34 C.F.R. 104.3(j)(2)(ii) , (c) what accommodations are requested, and (d) how long the student requests the accommodations to be in effect. The request must be accompanied by a statement from a physician or other qualified professional stating, at a minimum, what the disability is , what accommodations should be given, and should include the professional’s assessment of how the student’s disability limits one or more major life activities. ”*

In its report, State Bar staff state “Neither the dean nor the interim dean has prior experience with or knowledge about how accommodations requests are verified or decided.”

The interim dean had only held the position for about two weeks at the time of the inspection. Since then, the interim dean has become familiar with PCL’s disability accommodations policy and the process by which accommodations are granted or denied. Additionally, an administrative policy has been adopted requiring employees to read Section 504 and ADA Title III on an annual basis. PCL will seek to hold an annual training with either a disability attorney or organization such as dredf.org, thedrlc.org, or disabilityrightsca.org in order to build familiarity with accommodations best practices. Disability training has been scheduled for both PCL faculty and staff on Saturday, February 3rd, 2024.

PCL’s Disability Accommodations Policy, in full, states:

A student who has a disability, long-term or short-term, may request an accommodation in taking exams or doing other academic work at PCL. The student must submit a written request for accommodation to the PCL Administrator.

The request must state (a) what the disability is, (b) how it substantially limits one or more major life activities as broadly defined in 34 C.F.R. 104.3(j)(2)(ii)* , (c) what accommodations are requested, and (d) how long the student requests the accommodations to be in effect.

The request must be accompanied by a statement from a physician or other qualified professional

stating, at a minimum, what the disability is, what accommodations should be given, and should include the professional's assessment of how the student's disability limits one or more major life activities. The student may, in addition, submit other types of support for the request, such as verification of accommodations from undergraduate institutions or on the LSAT, and any other information and documentation the student believes is relevant to the request. Students must not send original documents but should keep their original documents along with copies of everything they submit. Entering students are urged to apply during the first week of August. Continuing students are urged to apply as soon as they are aware of the need for accommodation. Students should use all reasonable efforts to submit a request and documentation no later than six weeks before an exam. While PCL will make its best effort to process a student's request for accommodation promptly, a request can be denied if there is insufficient time to gather and evaluate the appropriate information.

PCL may determine to request independent evaluations before granting or extending a request for accommodation. The Administrator must send the request and all documents submitted in support of it to the Dean and the Executive Committee. The Dean will make the initial decision on the request and must notify the student and the Executive Committee** of the decision in writing.

The decision must state whether the accommodation is granted, in whole or in part, and if granted, how long the student's accommodation will be in effect. After the expiration of the time the accommodation is in effect, or within 60 days before the end of that time, the student may request renewal of the same or a similar accommodation and must do so according to the same provisions as stated above. The decision, whether denying the accommodation, or granting it in whole or in part, and the time during which it is in effect, are reviewable by the Executive Committee**.

The Executive Committee must review it if the student requests a review within thirty days after receiving the decision from the Dean. The Executive Committee may review the decision even without a request for review if the Executive Committee decides to do so thirty days after receiving the decision from the Dean. The Executive Committee must notify the student and the Dean of its decision on review within sixty days after the student's request for review or the Committee's own decision to review. There is no further right to review in PCL.

However, the student may submit to any member of the Community Board*** a written request that the Community Board review the decision of the Executive Committee, and the Community Board may decide to review or not to review, in whole or in part. Accommodations may consist of additional time to take exams or do other academic work, and may consist of any other reasonable accommodation. However, the maximum additional time for the exam or work may not exceed twice the time allowed to students who do not have accommodations for the exam or work, unless, on review, the Community Board determines that more than twice the time is warranted and reasonable.

School administration will provide express written notice of the accommodations that a student should receive to necessary individuals, such as an instructor or exam proctor. The notice will not disclose any other information. Information shared with an instructor or exam proctor

relating to the student's disability should be limited to the contents of the notice and the directives in the notice are to be followed. The instructor/ exam proctor should not share the contents of the notice or divulge the student's status as receiving accommodations with anyone without the accommodated student's express consent.

*Section 504 of the Rehabilitation Act, which predates the ADA, has the most expansive definitions of disability based on the concept of major life activities. While PCL is not subject to Section 504 because it does not receive federal funding, PCL prefers the more inclusive language provided by Section 504, and believes this language is better for students because it removes the burden of the person with a disability from making a legal conclusion about their disability in relation to exams and schoolwork.

**No student (including student members of PCL committees, the Community Board and the Executive Committee) shall participate in any of the functions, deliberations, or votes relating to any accommodations request, unless, before participation by any student, the student who submitted the request consents in writing to participation by students in those functions. If a student's private health information is discussed in any context during a committee meeting or Community Board meeting, meeting minutes shared with student board or committee members will be redacted to protect the student petitioner's privacy.

***Members of committees and the Community Board should recuse themselves from deliberations, functions, or votes relating to any accommodations request where the member's impartiality in the deliberation, function, or vote might be reasonably questioned. Members who recognize a conflict should notify the other members of the committee or Community Board of their intent to recuse themselves of any matter where they believe a conflict may exist, and state their intent to seek recusal on the matter. If a member should choose to recuse themselves, the member should inform the committee or board Chair as soon as practical in a way that would not compromise or jeopardize the student's right to impartial deliberations, functions, or votes.

In general, PCL will try to follow the policies of the State Bar of California for the Bar Exam and the First Year Law Students Exam regarding types of disabilities and types of accommodations in exams.

As of February 2020, the State Bar's website states the following about those policies (at <http://www.calbar.ca.gov/Admissions/Examinations/Requesting-Testing-Accommodations>)

2. Guideline 2.2(B) (2020):

In its Report, the State Bar agrees that PCL has adopted a compliant refund policy. Disclosures are discussed in further detail in section A. 4.241 Disclosures.

3. Guideline 2.3(A)-(C): (2020):

The State Bar agrees that PCL is in compliance with the recommended mandatory action from the 2020 inspection report, which required PCL to list, in its Catalog, only classes that are currently being offered at PCL and/or which have been offered within the past 3 years or will be offered within the next 2 years.

With regard to PCL's website, the interim dean has been transparent with the Bar about her process and her plans, including being trained in website design, creating review forms, and completing an initial website evaluation by October 27, 2023. With the goal of bringing the website completely up to date while still managing the day-to-day duties of the administration of the school and meeting compliance requirements, the website has been systematically receiving updates on a weekly basis since the week of October 19, 2023, and a record has been kept of all the changes that have been made since then. Significant recent updates have included uploading the current disclosure forms with the notices of noncompliance and probation attached.

In its Report, State Bar staff state "the financials webpage misstated the FYLSX exam fee." This is not true. PCL's website states that the FYLSX costs \$624.00 and that laptop computer fees are \$153.00. (ATTACHMENT 2.3A and ATTACHMENT 2.3B) This has not been updated since the interim dean began the website review process because the information is correct. As of November 30, 2023, the State Bar website states that the FYLSX costs \$624.00 and the laptop computer fee is \$153.00. (ATTACHMENT 2.3C) Additionally, this section of the PCL webpage has numerous disclaimers that the included information provides mere cost approximations. The table of costs is titled "The First Year at PCL" underneath which the description of the table's contents states "A cost breakdown including approximations of Non-PCL costs." The column under which monetary values are displayed is titled "COST*." The asterisk is defined beneath the table as meaning "All costs are subject to change. May be subject to late filing fees." Furthermore, the cost which the State Bar staff report as being incorrect, though it is correct, is listed as the cost for an item on the table titled "California State Bar** First year Law Student Exam (FYLSX) Fee." This cost has 2 asterisks next to it (**) which are defined beneath the table of costs as "approximation of Non-PCL costs (provided here as a guideline only.)" The fee of \$153.00, which the State Bar staff reports as being incorrect despite the fact that it is correct, is also listed as the cost for an item on the table titled, "California State Bar**- FYLSX Laptop Computer Fee." This cost has 2 asterisks next to it (**) which are defined beneath the table of costs as "approximation of Non-PCL costs (provided here as a guideline only.)"

In its report State Bar staff state, "PCL simply changed the title of the 2022-2023 Catalog to 2023-2024 Catalog and posted it without updating it." This is not accurate, PCL changed the date of the Handbook/Catalog in conjunction with updates it was making to the Catalog at the time.

In its report State Bar staff state, "PCL is not forthright when communicating its compliance status to students. The law school's original Notice of Noncompliance issued on June 17, 2022, is obscured on the PCL website under a heading titled "CalBar Motion."

PCL has been forthcoming about its compliance status. PCL students have received multiple communications from PCL in both written and verbal format, including a group meeting with the interim dean to discuss the school's status as on probation. The PCL website states PCL's status as having received a notice of non compliance and being on probation in at least 4 different places, including the home page, the home page scrolling bar, the "about" page, and the disclosure statement page. Prior to November 22, 2023, in addition to the places listed previously, the notice of non-compliance and probation information were also included on a second disclosure page under the "academics" tab and on a page titled "California State Bar

Motions.”

4. State Bar staff did not include a point number 4. In its monthly progress reports, PCL has reported Guideline 2.3(D) (below) in point 4 of the document. For the purposes of user ease and to be consistent with the formatting in the October 2023 Inspection Report, PCL has chosen to skip point 4 and provide it’s response on Guideline 2.3(D) in point 5.

5.. Guideline 2.3(D) (2020):

PCL’s disclosure form was updated accurately and included as part of the student’s enrollment agreement, which was disseminated and signed by students prior to the beginning of the winter 2023 quarter.

The disclosure errors noted by the inspection team in October of 2023 included an overstated fee by the law school. At the time, the total fees paid towards a J.D. degree should have been stated as \$2400.00 but were overstated as \$5600.00.

As stated above, under Rule 4.241, PCL did not inaccurately state the CBX passage rate, as is asserted here by State Bar Staff. Several PCL alumni, including PCL’s current contracts professor, who took and passed the exam in July of 2018, can confirm that they took that California Bar Exam Administration.

In regard to the State Bar’s request that PCL review its Rule 4.241 disclosures for all students who attended school during the 2020-2021 and 2021 to 2022 academic years, PCL has been able to verify that it did disseminate, and that students did **receive** appropriate disclosures at least once during each academic year of 2020-2021 and 2021-2022. This was discussed in detail in a. 4.241 above.

6. Guidelines 2.9(A)-(B) and 5.24 (2020):

PCL has maintained policies that it believes to be in adherence with the Rules and Guidelines, providing information about course repetition, when a course must be repeated, and the impact of the repetition.

PCL addresses course repetition in several parts of the Student Handbook. For example, in a section on Page 25 titled “Advancement in Good Standing” and in a section on Page 26 titled “Requirements for Graduation and Certification to Take Bar Exam” it states :

“The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures.

In the student’s first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter.

The student must have a grade point average of 73 (C) or better for all final grades for the

quarter in all the student's courses combined."

Additionally, the Handbook states, on Page 30, when a course must be repeated :

"Repeating a Course or Quarter after Failing and Thus Not Completing 270 Hours: If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies. Because of State Bar requirements that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order to be eligible for the J.D. degree and to take the FYLSX and the Bar Exam, cannot make up for the failed course or quarter by repeating only that course or quarter again in a later academic year, but instead must repeat the entire year's courses . (Note that failing a course might not result in failing to successfully complete 270 hours in an academic year, if during the academic year the student completed courses whose total hours exceed 270. As of 2020, PCL normally offers exactly 270 hours of classes for 2L, 3L, and 4L students, but 330 hours for 1L students.)"

In regard to how to repeat a course, Page 28 of the Handbook states:

"...students who failed a PCL course and want to repeat the course can begin repeating the course starting later than the start of an academic year, but this exception does not apply to students who have attended another law school."

Page 29 of the Student Handbook, addresses the issue of duplicate credit, which PCL has believed also addresses the issue regarding impact to GPA:

"No Duplicate Credit: Duplicate credit will not be given for repeating the same or substantially the same course or quarter, whether the courses or quarters are both taken at PCL or at another school, or partly at PCL and partly at another school."

Page 30 of the Student Handbook addresses the issue of repeating a course after a student fails or does not complete the 270 hour requirement:

"If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies. Because of State Bar requirements that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order to be eligible for the J.D. degree and to take the FYLSX and the Bar Exam, cannot make up for the failed course or quarter by repeating only that course or quarter again in a later academic year, but instead must repeat the entire year's courses (Note that failing a course might not result in failing to successfully complete 270 hours in an academic year, if during the academic year the student completed courses whose total hours exceed 270. As of 2020, PCL normally offers exactly 270 hours of classes for 2L, 3L, and 4L students, but 330 hours for 1L students.)"

6. Guideline 2.9(C) (2020):

In regard to the Winter 2023 Quarter, syllabi were provided to the students before classes began on November 27th, 2023. The syllabi were reviewed for accuracy and adherence to PCL policy, and included clearly stated grading components of the class. The students were given access to syllabi in advance of their classes in order to provide enough time for them to buy the necessary textbooks and course materials.

The State Bar report makes mention of “at least one syllabus was not provided in advance of the course.” This reference is believed to be about a Fall quarter class in which the syllabus, via Populi, was available in advance to enrolled students who met PCL’s standards for advancement to the next quarter. A student has since confirmed that he had access to the syllabus via Populi before the beginning of class. The instructor did not bring printed versions to class due to technical issues he’d had. The administrator was able to correct the issue and provide the students with printed syllabi before the end of the first class.

7. Guideline 2.9(D) (2020):

PCL has had a written policy regarding authentication of student work since 2020. When PCL was functioning in a remote learning format due to the pandemic, it had a different policy that provided for exam authentication and security based in remote learning. That policy stated:

“POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

Adopted by Faculty-Curriculum Committee October 20, 2020

A. Exams: All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that exams are given with Microsoft Teams. Teams requires students to register for each exam. The students’ exam answers are sent to the Microsoft

Teams account and only accessible through Teams. When taking the exams, the students’ computer screens are locked upon being opened by the student, and thus the students cannot access other materials while the test is being taken. While taking the exam, the student is observed by the exam proctor through the webcam. The students’ exam answers are submitted to the proctor through the students’ Microsoft Teams account.)

B. Remote Class Participation: In all classes given remotely, every student must either (a) have

their video activated during the entire class, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that online classes are given with Microsoft Teams. The students attend class through teams. The students' names are shown during the class. The students are on camera during the class. Students speak during the classes, and their voices also identify them.)"

PCL returned to in-person learning on campus in September of 2023, and, accordingly, the exam authentication policy has changed. A policy was intended to be introduced for approval at the October board meeting, but the policy was sent back to the FCC for review after the first set of interviews with the CBE Inspection team, based on feedback from the inspection team which suggested we should continue to utilize exam-testing software even for proctored exams taken in person .

The PCL Community Board approved the following policy change on November 18th, 2023:

Exam Authentication and Security Policy

On Campus Exams

All final exams will be proctored and administered live, on campus, by a PCL - approved proctor. A clear set of exam rules and instructions should be provided to the proctor by the instructor prior to the examination in order to ensure a seamless testing experience.

During examinations, students must leave all personal belongings, including books and all papers not provided by the proctor for purposes of the examination, outside of the testing room. Electronic devices, including cell phones, are not permitted in the exam room. Laptops and other electronic devices serving the purpose of typing on an exam are only permitted if the approved exam-testing software described below is utilized. Small clocks are permitted for time-keeping purposes. Cell phones, tablets, and other similar electronic mobile devices may not be used as clocks during the exam. Water and writing implements are permitted in the exam room.

Where the faculty member has elected to allow students to test electronically, students will be permitted to use their laptops only if they utilize approved exam-testing software. As of November 2023, the only approved testing software is TestInvite, though this is subject to change.

All exam papers, including the assessment (exam) itself, notes, and other papers associated with the exam, must be turned into the proctor before leaving the testing room.

Remote Examination

All exams performed remotely will be required to utilize testing software. Testing software will record a student's screen and the student's web camera will be turned on during the exam for authentication and security purposes. Students may not opt-out of recording unless they have been approved for testing accommodations that specifically provide for such an accommodation. In such cases where a student has an unavoidable reason not to test on campus, such as in the

case of a contagious illness, a student must request permission from the Administrator or Dean to be allowed to test remotely. The Administrator or Dean may request documentation in support of the student's request.

Exam Authentication

Students testing on campus must sign an attendance sheet, which will be made available by the proctor. The proctor must also sign the attendance sheet in attestation that the identity of the student named on the attendance sheet matches the identity of the person who took the exam.

The State Bar Report states "the law school allows students to bypass authentication at the discretion of each faculty member."

The interim dean has communicated with former administrative heads of the law school since 2020 who indicate that there has been no such policy of "allow(ing) professors to override the use of exam software or to accept submissions that were not monitored or authenticated." In fact, one of the benefits of Test Invite, the exam security software that is used by PCL, is that it provides video and picture monitoring during exams, which PCL utilized for a student who had to test off campus due to Covid during the Fall Quarter finals.

Currently, instructors have no access or involvement in the testing process at PCL at all. Exams are conducted on campus, without instructors present, and are proctored by a live proctor. In addition, exam security software is used for all exams administered electronically.

7A. Guideline 2.10 and 5.17

The Inspection Report does not make mention of what is usually reported as point 8 in PCL's monthly progress reports. This section recommends that "To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements."

Subsequent to this recommendation in 2020, PCL adopted a compliant grade review policy and has continued to update the bar as necessary regarding the policy.

8. Guidelines 2.11, 7.1, and 9.1 (2020):

PCL continues to utilize Populi to store digital student records. PCL has continued in its process of digitizing records that were formerly available only in physical format. Additionally, PCL has been utilizing a password management app for many months in order to control access to PCL's digital files. PCL strives to continue to improve in this area.

9. Guideline 3.1 (2020):

PCL has sufficient administrative capacity to achieve and sustain compliance. While the Inspection team's assessment of PCL is fair, it is important to note that, at the time of the October 2023 inspection, the interim dean had only been employed by the school for approximately two weeks. That period of time was especially challenging for the administrator as he had assumed the duties, in addition to his own, of the former dean, Edith Pomposo, who left abruptly at a time of heightened urgency as the staff and

volunteers were right in the middle of the school's preparations for the upcoming site visit and inspection. Her further failure to respond to PCL's attempts to communicate with her regarding her plans put PCL in an especially tough position, but its volunteers and staff persevered. Recently, students have stated how happy they are to have a more organized administration. PCL strongly desires to be able to provide these students with the opportunity to complete their J.D.s and PCL is of the belief that it has the capacity to operate soundly until they do.

The member of the FCC, nearly all licensed attorneys and many with backgrounds in higher education, continue to be pillars on the committee in terms of providing academic guidance to the J.D. program.

The interim dean has a professional background of working in for-profit business management and has the ability to build solid organizational framework which could lead PCL to thrive in the future, but additional time is needed to do so, as the interim dean has only been employed by PCL for a period of about 2 months. In that time, the interim dean has been able to conduct proper administration and implementation of final exam assessments, including advance review of the exams and rubrics/issue outlines/model answers by members of the FCC; has successfully organized the faculty to provide final assessments, grades and syllabi on time; has created and implemented a course schedule, while ensuring future adherence with the cluster plan, that has met the needs and preferences of several different categories of students, including a transfer student who has taken most of PCL's curriculum and 3L students who desire to be able to become certified law students before their 4L year; has memorialized administrative policies and procedures where there was no such manual before; has created and implemented policy which helps the school meet compliance standards; has produced accurate disclosures which were provided to students for certification prior to the beginning of the winter quarter; and has all the while continued updating the website and operating the school's day to day operations, amongst many other job functions.

It must be stated that PCL is a very small operation, it only employs 2 staff members, which puts a significant amount of strain on being able to meet deadlines in a timely fashion, but PCL continues to strive to meet all requirements and provide the State Bar with the information and documentation it requests.

10. Guidelines 4.8 and 4.9 (2020):

The Faculty and Curriculum Committee (FCC) continues to be involved in the interviewing, hiring, and review process of faculty. The FCC also provides continuing education and training to the faculty. Members of the FCC reviewed all final exams prior to the administration of exams at the end of the Fall 2023 Quarter. Throughout the year, the FCC provides faculty with periodic training and education opportunities, with a training on exam creation and grading taking place this winter quarter. Faculty are provided with three types of evaluations, a self evaluation, student evaluation, and an evaluation by the FCC or dean. PCL can strive to ensure that evaluations are based on classroom observation and course materials, already the FCC has provided evaluation of course materials this academic year. This feedback will be used towards the faculty's evaluations.

11. Guidelines 5.3(A)(1) and 5.9 (2020):

Students at PCL may be academically disqualified for failing to comply with PCL's 80 percent attendance rule. A student who is facing academic disqualification is formally considered to be on probation. A student on probation may file a petition to appeal disqualification due to failure to adhere to the 80 percent attendance rule. In accordance with Guideline 5.19, upon the student's demonstration of good cause and special circumstances, the FCC may approve the student's petition. If the student's petition is approved, the student is promptly informed of the decision and of the deadline for completion of additional classes to make up the class time missed. PCL has a policy, stated on Page 26 of the Student Handbook that states "under no circumstances may PCL offer students the opportunity to make up absences from regularly scheduled class hours with alternative activities."

In the October 2023 Inspection Report, State Bar staff states that "implementation of the improved (attendance) policy does not fully satisfy Guideline 5.3(A)(1) because students who miss more than 20 percent of classes are given the opportunity to appeal the decision and take make-up classes; the Guideline requires attendance of not less than 80 percent of "regularly scheduled class hours" in each course.

PCL has been of the belief that its attendance policy, requiring attendance at 80 percent or more of all class offerings, was in full compliance with Bar rules and expectations, as Guideline 5.19 states "policy may also provide for advancement on probation. Once adopted, the policy must be followed, with exceptions being rare and then only on a clear showing of special circumstance and good cause." PCL was not aware that the State Bar's interpretation of the term "regularly scheduled class hour" in Guideline 5.3 (A)(1) meant that a student, who could demonstrate good cause and a showing of special circumstances for having missed more than the permitted amount, could not make up the missed class with another scheduled class of the same length in time of that which the student missed.

If this is the case, and Guideline 5.19 does not apply, PCL will create a new policy and present it to the PCL Community Board for a vote in order to be in compliance with this interpretation of the rule.

PCL objects to this interpretation of the rule, as it is currently written, however. PCL is of the opinion that students with special circumstances who can show good cause for having missed a class, should be able to be given an opportunity to complete the class time that they missed. The State Bar requires that a student complete a minimum of 270 hours per year. At a school like PCL, where exactly 270 hours of classes per year are offered, if a student does not get credit for one course, they are subsequently required to repeat the entire year's courses. This seems wholly unfair to a student who might have a genuine and unavoidable reason for missing, for example, three classes in a quarter, as opposed to two classes.

Nonetheless, PCL strives to be in compliance with all the Rules and Guidelines, and will change its policy as necessary.

State Bar staff states that there was "an error showing a curriculum that does not satisfy the minimum classroom attendance hour requirement under Guideline 5.9(A)(4)."

This error was corrected subsequent to the inspection and now displays the correct unit value. This error was corrected as part of the interim dean's corrections to the website.

12. Guideline 5.8 (2020):

PCL's fall quarter clinical courses provided accurate timesheets and a policy for clinical classes has been created.

Externships, Clinical Programs, and Other Non - Classroom Activities Performed For Credit

At its discretion, PCL may permit students to enroll in externships, clinical programs, or other activities that do not involve instruction by a faculty member or involve participation in regularly scheduled course hours or classroom studies.

The time spent involved in these activities and studies may be used to satisfy the 270 hour requirement set by the Bar in Guideline 5.3 if the following criteria are met:

1. PCL's clinical courses will award credit commensurate with the time and effort expended by, and the educational benefits to, the participating student.
2. The studies or activities must be approved in advance by the Dean or the FCC.
3. A member of the faculty or the dean must supervise and periodically review each student's participation to ensure that the educational objectives are achieved.
4. The amount of credit may not exceed forty (40) percent of the hourly requirement for any year or more than ten (10) percent of the total hours required for graduation;
5. PCL must maintain an appropriate record for each student. At PCL, this is done by keeping a timesheet that is regularly submitted to the Dean or Faculty Advisor. The timesheet must be retained in each student's file.

Clinical Program or Externship Record Requirement

The law school must maintain a record for each student participating in the any of the above-mentioned activities. The record must include at least
the educational objectives,
the number of hours spent by the student participating in the activity,
the amount of academic credit authorized,
the name of the faculty member who conducted or reviewed the activity,
the name, address, telephone number, and qualifications of each person not on the faculty who directly supervised the student participating in the activity, and
the methods used to evaluate student performance, and
all other records as necessary to keep record of the criteria mentioned in point 1-5 above.

Enrollment a Clinical Program or Externship

Periodically, PCL will offer clinical courses or externships as part of its curriculum. These courses generally take place during a summer quarter, but may take place during other periods of time. The criteria for enrollment in these courses will be made available to students at that time. If a student seeks placement in a clinical program or externship that is not offered by PCL as part

of its curriculum, that student must submit in writing, to the Dean or FCC, their request to receive academic credit for the program. The written submission must be received as soon as practicable, but no later than 4 weeks before the beginning of a quarter if the student intends to replace classroom study hours with clinical hours. The written request should clearly demonstrate that the placement meets all of the above-mentioned required criteria. The student will only be able to receive academic credit from PCL upon the Dean or FCC's written approval of the student's participation in the program.

13. Guidelines 5.17, 5.18, and 5.25 (2020):

PCL has created policies that have established grading standards and policies that eliminate grade inflation. The enforcement of abiding by the school's policy is driven by the Dean, who coordinates with the faculty to ensure faculty timely submits the proper materials in order for the FCC to provide timely feedback. The FCC members continue to be the ones to evaluate the quality of exams and provide training to faculty. The administrator continues in his role as providing checks and balances of the process, making sure that syllabi accurately reflect school policy, checking grades for signs of inflation, ensuring exam and course grades are timely submitted and inputted into Populi, and communicating with the Dean or faculty as necessary if he finds something that requires correction.

All winter quarter syllabi have been properly reviewed by the administrator for adherence to PCL's participation grade cap of 3%.

14. Guidelines 5.18-5.20 (2020)

PCL does not allow students to repeat exams or do extra credit to improve a grade unless that student is on probation, submits a petition to appeal his grade, and the FCC approves his petition. In its inspection report, State Bar staff states under Guideline 5.19, "if special circumstances and good cause exist, (the student) should be placed on probation and given clear expectations." PCL's policy mirrors this statement exactly, as only a student on probation and facing academic disqualification has the opportunity to file a petition to remedy a disqualifying circumstance. This petition may only be approved upon a showing of special circumstances and good cause.

To summarize PCL's policy, any student who has a disqualifying circumstance is considered to be on academic probation. Any students who seeks to avoid academic disqualification must submit a written petition for an exception from disqualification or to challenge the grounds or the disqualifying circumstance. The petition is reviewed by the FCC and Instructor and may only be approved upon a clear showing of special circumstances and good cause. If the petition is approved, in accordance with the reasons for the disqualifying circumstance, it is then decided whether the approval is conditioned upon successful performance of something, like taking a new final exam, attending a make up class, or completing an assignment.

PCL's policy, on Page 25 and 26 of the Student Handbook, is provided in full below:

Section 6. Academic Disqualification

A student will not receive credit for a quarter unless the student has complied with all of the

following requirements (unless the student rectifies the non-compliance according to the provisions of this Section 6):

(A) The student must have complied with the State Bar's 80% attendance rule in all the student's courses at PCL (see below).

(B) The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures, and

(C) In the student's first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter. as a first year student, the student gets more than one final grade below 70 for a quarter.

Any failure to comply with these requirements is referred to as a Disqualifying Circumstance. Within four weeks after the end of each Spring quarter, the Administrator must determine if any student has any Disqualifying Circumstance. If so, for each student who has a Disqualifying Circumstance, the Administrator (a) shall report the name of the student and the Disqualifying Circumstance in writing to Dean and the Registrar and (b) shall notify the respective student in writing of the Disqualifying Circumstance, that the student is in danger of Academic Disqualification and that the student must follow the procedures of this Section below.

Any student who has any Disqualifying Circumstance is considered to be on probation. In order to endeavor to avoid Academic Disqualification, the student must submit a written petition to the Dean and the Instructor to challenge the grounds for the Disqualifying Circumstance or for an exception from disqualification, or both. The student shall state in the petition whether or not the student consents to allow other students to participate in the functions of the FCC and other committees and bodies in connection with the petition. Those functions are described below.. The Dean shall promptly transmit the petition to the FCC, limiting access to the petition by student members of the FCC according to the petitioning student's statement on the subject in the petition. The Instructor and the FCC must promptly approve or disapprove the petition, but they may approve only on a clear showing of special circumstance and good cause and they must properly document the special circumstance and good cause. The documentation shall be placed in the student's files If they approve the petition, they must decide whether the approval is conditioned on the student successfully performing an assignment, and if so, what the assignment is and a deadline for its completion. In determining the assignment, they shall adhere to the requirement that exceptions from Academic Disqualification may be allowed only on a clear showing of special circumstance and good cause. The assignments may be multiple. These decisions shall be at the reasonable discretion of the Instructor and the FCC. The FCC or the Instructor must promptly inform the student in writing of the decision, the assignment (if any), and the deadline for completion of the assignment (which can be the date of a new exam), and must also inform the Dean in writing.

If the Disqualifying Circumstance is the 80% attendance requirement described in (A) above, the time must be made up in an additional class session with some instructor, if PCL can arrange for some instructor to teach the make-up class. PCL does not require the faculty member who taught the course to conduct the make-up class, although we may ask if the instructor is willing. PCL

does at times succeed in arranging for another instructor to conduct a make-up session.

If the Disqualifying Circumstance is something other than the above 80% attendance requirement, the assignment can include taking a new final exam (but not re-taking any exam the student previously took), writing an essay, or some other work. If the Disqualifying Circumstance was caused by a poor grade on an exam or other work, the assignment must be an exam or other work that, in the judgment of the Instructor and the FCC, is at least as difficult as the exam or other work on which the student received the poor grade. If the reason for the student's petition was missed classes, the assignment must be a make-up class. Under no circumstances may PCL offer students the opportunity to make up absences from regularly scheduled class hours with alternative activities.

If the student performs the required assignment and submits it to the Instructor by the completion date, the Instructor must grade the assignment. (PCL recognizes that if the assignment for missing classes is attending other classes, it is possible the assignment cannot be graded.) The grader must inform the Student, the Administrator or the FCC, and the Dean, in writing, whether the student completed the assignment on time and the student's grade on the assignment. If the grade on the assignment is lower than 70, the student's grade for the course will not be raised. If

the grade is 70 or better, the Instructor must raise the student's grade for the course to higher grade, determined in the reasonable discretion of the Instructor.

If the Instructor cannot or will not perform the functions of the Instructor stated in this Section 6, the FCC or the Dean must assign a substitute, i.e. another suitable substitute person to perform them.

The student must rectify the Disqualifying Circumstance(s) during the quarter that follows the one for which the substandard grade(s) were received or the one in which the classes were missed, as the case may be. If a Disqualifying Circumstance arose in the Spring quarter, the student must rectify it during the summer, i.e. the period between the end of the Spring quarter and the start of the Fall quarter. Rectification requires a passing grade on the assignment, if any, given by the Instructor and the FCC under the provisions of this Section.

If the student does not so rectify the Disqualifying Circumstances within the period of time stated in the preceding paragraph, then the student is academically disqualified, except that the student may continue to completion the classes the student is taking in the quarter that follows the one for which the substandard grade(s) were received or in which the classes were missed. (For example, if the student received a failing grade in the Winter quarter, and during the Spring quarter fails to rectify the Disqualifying Circumstances, the student may complete classes in the Spring quarter, but may not take classes after the Spring quarter.)

However, academic disqualification under the above provisions is subject to review by the Community Board, which may, in its reasonable discretion, but only under unusual and special circumstances (which they must document), permit the student to advance to the next quarter under such probationary conditions as the Community Board determines. The conditions may include repeating one or more quarters of one or more courses. The documentation must be placed in the student's file.

Academic disqualification means that the student may not:

a. advance to the next quarter

- b. be certified by PCL to take the First Year Law Student's Exam
- c. be certified by PCL to take the California Bar Exam
- d. graduate from PCL and receive a J.D. degree or any other degree from PCL
- e. attend classes and receive instruction.

All decisions of the Instructor, the substitute (if any) and the FCC under this Section may be appealed to the Community Board. The Community Board may delegate some or all of its functions under this Section to the Executive Committee, and it may receive recommendations for these functions from the Executive Committee or the FCC. In performing their functions under this Section, the Community Board, Executive Committee and FCC should consult with the Dean.

No student (including student members of the FCC, the Community Board and the Executive Committee) shall participate in any of the functions, stated in this section, of the FCC, the Instructor, the substitute, the Community Board or the Executive Committee the Community Board the Executive Committee or any other committee or body, unless, before participation by any student, the student who submitted the petition consents in writing to participation by students in those functions.

15. Guideline 5.24 (2020):

PCL reiterates its statement under point 6, Guidelines 2.9(A)-(B) and 5.24 (2020).

16. Guidelines 6.2-6.4 (2020):

Legal Research is, indeed, a part of PCL's cluster plan and it is offered to every student during their 4 years at PCL.

In October, the interim dean reported that a dedicated research class did not appear to have been taught in several years. This was an incorrect assertion based on the fact that the class offered to the current 3Ls during their 2L year titled "Legal Research" had the wrong syllabus uploaded into the course information on populi. Upon speaking with current 3Ls, the interim dean was informed that they did take a dedicated legal research class during the spring of 2023. The cluster plans and course schedules provided as attachments in D. Guideline 4.2 are evidence that Legal Research is regularly offered.

17. Guidelines 7.1 and 7.2: (2020):

PCL has continued to be in compliance with the State Bar's recommendation that it obtain fire-safe lockable cabinets.

18. Guideline 9.1 (2020):

PCL has vastly improved its record-keeping since preparing for the inspection. All fall and winter disclosures are on file and easily accessible, the administrator has been tasked with performing additional transcript reviews for accuracy, and PCL is in the process of identifying missing components in current and past student files. The administrator has improved his organization of physical files and the process of fully digitizing older files continues. PCL will further enforce this progress with a written administrative

policy regarding the keeping of records and duplicate records as necessary.

V. CONCLUSION

PCL acknowledges that it has struggled to prove its operational capacity to the State Bar. The effects of Covid and untimely turnover of leadership positions at critical times has hindered the school's ability to be proactive in demonstrating its ability to maintain compliance. PCL struggled greatly at the beginning of the Fall quarter of 2023-2024 due to the former dean's abrupt departure and PCL's sudden return to in-person learning in a facility that had sat vacant for almost 3 years due to covid and online learning. PCL has been under immense pressure to meet probation deadlines, while still providing its students with a quality academic program. PCL has persevered and has built on the school's operations, providing more organization and leadership which has resulted in improved student morale and faculty participation. While it strives for further improvement, PCL made progress on compliance, improving from the 22 points originally noted in the 2020 inspection to 16 points noted at the time of the October 2023 inspection.

PCL has the necessary operating capacity to continue to provide instruction to its students. The FCC's strong role at the school supports the school's ability to carry out its academic responsibilities. A willing administrator and interim dean are committed to improving PCL, creating policy as necessary, and enforcing adherence to policy. Improved communication with faculty has resulted in timely submission of exams and syllabi for review, faculty has enthusiastically and timely submitted grades from Fall finals in advance of their deadline, and all faculty began the winter quarter classes as expected. Despite the uncertainty that the students feel over the future of the program, they have expressed approval of the way that PCL is currently operating under the interim dean's leadership.

PCL asks that the Committee please consider allowing it to remain open long enough to, at a minimum, teach out its current students. PCL has REDACTED 4Ls set to graduate this spring and REDACTED 3Ls set to graduate next May of 2025. PCL's REDACTED 1L will qualify for the FYLSX at the end of the current academic year. The 1L will then have the capability, and PCL's support, in transferring to another institution. All of PCL's students will shortly face a competency exam that will determine the soundness of their academic preparations. All have elected to remain at PCL rather than transfer to other institutions, despite being offered support by the interim dean to help them do so. PCL requests to be able to continue as their academic institution, with the ability to grant the J.D.s they have worked so hard for, until May of 2025.

PCL will close by addressing a line included the State Bar's Inspection Report,

"[w]hile 19 students have graduated since July 2017, just REDACTED have obtained licensure."

This statement by State Bar staff is not correct. 24 students have graduated since 2017. With REDACTED of those students becoming licensed attorneys, 37.5% of our recent graduates have obtained licensure. REDACTED of those REDACTED students are persons of color. 67% of PCL's recent graduates are persons of color. Our current student body consists of 100% black and brown people. We couldn't be more proud to call ourselves The Peoples College of Law.

ATTACHMENT A

Dear Students,

As we gear up for the start of the new academic year, we want to keep you informed about some important updates and resources to help you prepare.

Please find attached a welcome back letter from PCL, which includes details about the outcome of the recent state bar meeting and upcoming orientation dates.

In addition, you'll also find attached:

Academic Calendar

List of Textbooks

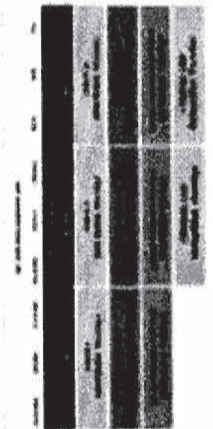
Course Schedule

Please be informed that we will be working on staffing throughout the weekend. An updated course schedule will be available after the weekend. Thank you for your understanding.

We're looking forward to welcoming you back to campus and embarking on another journey of learning and growth together.

Best regards,
Lithia

Attachments • Scanned by Gmail



Academic Calend...

Textbooks 2023-...

2023-2024 cours...

Welcome letter 8-...

ATTACHMENT A1

First-Year Law Students' Exam			
Exam Year	Takers	Passers	Percentage
June 2023	REDACTED	REDACTED	REDACTED
October	REDACTED	REDACTED	REDACTED
June 2022	13	REDACTED	REDACTED
October 2021	14	REDACTED	REDACTED
June 2021	14	REDACTED	REDACTED
November 2020	0	0	0%
June 2020	0	0	0%
October 2019	0	0	0%
June 2019	14	REDACTED	REDACTED
October 2018	0	0	0%

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June 2018	13	REDACTED	REDACTED
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The number and percentage of students who have taken and passed the General Bar Examination in the previous 5 years is as follows. Note that for each exam listed, the number of takers includes all graduates of PCL who took that exam no matter what year they graduated, whether very recently before the exam or many years before. Also, if a person takes the exam on, for example, three different occasions, the person is counted as a taker on all three occasions. Thus, the total number "Takers" in this chart is not equal to the total of all PCL graduates who took the exam in the past five years – the total number of "Takers" is a larger number because some graduates took the exam more than once in those five years. Thus, this chart does not show PCL's Bar Exam pass rate as calculated by the State Bar for purposes of accrediting law schools, which, in July 2022 was 79%. (PCL is NOT an accredited law school.)

General Bar Exam			
Exam Year	Takers	Passers	Percentage
July 2023	TBD	TBD	TBD
February 2023	REDACTED	REDACTED	REDACTED
July 2022	REDACTED	REDACTED	REDACTED
February 2022	REDACTED	REDACTED	REDACTED
July 2021	REDACTED	REDACTED	REDACTED
February 2021	REDACTED	REDACTED	REDACTED
October 2020	13	REDACTED	REDACTED
February 2020	REDACTED	REDACTED	REDACTED
July 2019	14	REDACTED	REDACTED

ATTACHMENT D

Possible Replacement to Existing PCL Course Cluster Plan for Upper Division Students				
Rotation A	Rotation B	Rotation C		
Constitutional Law (3Q)	Civil Procedure (3Q)	Real Property (3Q)		
Remedies (2Q)	Criminal Procedure (2Q)	Evidence (2Q)		
Shared Elective (1Q)	Shared Elective (1Q)	Shared Elective (1Q)		
Community Property (1Q)	Wills and Trusts (2Q)	MBE Oriented (1Q)		
Professional Responsibility (1Q)		Essay Oriented (1Q)		
Business Associations (1Q)	Legal Research (1Q)	Performance Test Oriented (1Q)		
		(order these are taught immaterial)		
2022-2023 (Rotation A)				
2L				2L's will take three courses
2/3L		Wills and Trusts	Legal Research	
2/3L		Constitutional Law	Constitutional Law	3L's will take four courses this year to phase out old rotation
3L/4L	Real Property	Real Property	Real Property	4L's will take three courses
3L/4L	Shared Elective	Remedies	Remedies	
4L	MBE Oriented	Essay Oriented	Performance Test Oriented	
2023-2024 (Rotation B)				
All	Civil Procedure	Civil Procedure	Civil Procedure	
All	Criminal Procedure	Criminal Procedure	Shared Elective	
2/3L	Community Property	Professional Responsibility	Business Associations	
4L	MBE Oriented	Essay Oriented	Performance Test Oriented	
2024-2025 (Rotation C)				
ALL	Real Property	Real Property	Real Property	
All	Evidence	Evidence	Shared Elective	
2/3L	Wills and Trusts	Wills and Trusts	Legal Research	
4L	MBE Oriented	Essay Oriented	Performance Test Oriented	
2025-2026 (Rotation A)				
All	Constitutional Law	Constitutional Law	Constitutional Law	
All	Remedies	Remedies	Shared Elective	
2/3L	Community Property	Professional Responsibility	Business Associations	

Possible Replacement to Existing PCL Course Cluster Plan for Upper Division Students			
Rotation A	Rotation B	Rotation C	
4L	MBE Oriented	Essay Oriented	Performance Test Oriented
2026-2027 (Rotation B)			
Cohort	Fall	Winter	Spring
All	Civil Procedure	Civil Procedure	Civil Procedure
All	Criminal Procedure	Criminal Procedure	Shared Elective
2/3L	Wills and Trusts	Wills and Trusts	Legal Research
4L	MBE Oriented	Essay Oriented	Performance Test Oriented
2027-2028 (Rotation C)			
Cohort	Fall	Winter	Spring
All	Real Property	Real Property	Real Property
All	Evidence	Evidence	Shared Elective
2/3L	Community Property	Professional Responsibility	Business Associations
4L	MBE Oriented	Essay Oriented	Performance Test Oriented

ATTACHMENT D1

PCL Cluster Plan
Fixed Fourth-Year with Bar Exam Prep
(Revised 2/2017)

<u>Rotation A</u>	<u>Rotation B</u>	<u>Fourth Year (Fixed)</u>
Constitutional Law (3 qtrs)	Civil Procedure (3 qtrs)	Real Property (3 qtrs)
Criminal Procedure (2 qtrs)	Evidence (2 qtrs)	Remedies (2 qtrs)
Wills & Trusts (2 qtrs)	Community Property	Elective (Trial Advocacy)
Legal Research	Prof'l Responsibility	Elective (Multistates)
Elective	Corporations	Elective (Performance)
	Elective	Elective (Advanced Writing)
2018 - 2019	2019 - 2020	
2020 - 2021	2021 - 2022	
2022 - 2023	2023 - 2024	
2024 - 2025	2025 - 2026	
2026 - 2027	2027 - 2028	

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Fourth Year 2017-18

<u>Fall Qtr</u>	<u>Winter Qtr</u>	<u>Spring Qtr</u>
Property I	Property II	Property III
Corporations	Remedies I	Remedies II
Elective (Performance)	Elective (Multistates)	Elective (Advanced Writing)

Third Year 2017-18

<u>Fall Qtr</u>	<u>Winter Qtr</u>	<u>Spring Qtr</u>
Civil Procedure I	Civil Procedure II	Civil Procedure III
Corporations	Evidence I	Evidence II
Prof'l Responsibility	Community Property	Elective

Fourth Year 2018-19

<u>Fall Qtr</u>	<u>Winter Qtr</u>	<u>Spring Qtr</u>
Property I	Property II	Property III
Remedies I	Remedies II	Elective (Trial Advocacy)
Elective (Performance)	Elective (Multistates)	Elective (Advanced Writing)

Assignments Priority

1. Current Instructors
2. Past Instructors
3. Resume Pool
4. Open Call

ATTACHMENTS D2 – D8



TEACH LAW

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Our volunteer instructors teach law in the evenings to social justice minded students so that they can practice in the public interest.

Gain valuable experience and earn MCLE credits
Teaching one course can earn the whole 3-year general MCLE requirement.

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[@peoplescollolaw](https://twitter.com/peoplescollolaw) 
(213) 483-0083

email resumés to dean@peoplescollegeoflaw.edu

PCL 2023-2024 ACADEMIC YEAR

Quarters are 10 weeks, plus a finals week

1L Courses

Legal Writing for 1Ls (3 quarters)
Contracts (3 quarters)
Torts (3 quarters)
Criminal Law (2 quarters)

2L/3L Courses (middle cohort)

Civil Procedure (3 quarters)
Community Property (1 quarter)
Professional Responsibility (1 quarter)
Business Associations (1 quarter)

Courses for All Upper Division

Wills and Trusts (2 quarters)
Shared Elective* (1 quarter)

4L Courses

Criminal & Family Law Externship
4L CBX oriented electives:
- Competency & Performance (1 quarter)
- Advanced Legal Writing (1 quarter)
- Legal Principles and Elements (1 quarter)

~~strikethrough text~~ indicates course filled

* 2/3/4Ls suggest/vote on list of prospective elective courses. Competency/Trial advocacy preferred.



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PCL 2022-2023 ACADEMIC YEAR

1L Courses

Quarters are 10 weeks, plus a finals week

~~Legal Writing~~ for 1Ls (3 quarters)

~~Contracts~~ (3 quarters)

~~Torts~~ (3 quarters)

~~Criminal Law~~ (2 quarters)

2L/3L Courses (middle cohort)

Quarters are 10 weeks, plus a finals week

~~Constitutional Law~~ (3 quarters)

Legal Research (1 quarter)

~~Criminal Procedure~~ (2 quarters)

Wills and Trusts (2 quarters)

Elective* (1 quarter)

4L Courses

Quarters are 10 weeks, plus a finals week

Property (3 quarters)

Remedies (2 quarters)

Elective* (1 quarter)

4L CBX oriented electives:

- Competency & Performance (1 quarter)

- ~~Advanced Legal Writing~~ (1 quarter)

- ~~Legal Principles and Elements~~ (1 quarter)

* 2/3/4Ls suggest/vote on list of prospective elective courses.

Competency/trial advocacy preferred.

~~strikethrough text~~ indicates course filled



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PCL 2021-2022 ACADEMIC YEAR

1L Courses

Quarters are 10 weeks, plus a finals week

~~Legal Writing for 1Ls~~ (3 quarters)

~~Contracts~~ (3 quarters)

~~Torts~~ (3 quarters)

~~Criminal Law~~ (2 quarters)

2L/3L Courses (middle cohort)

Quarters are 10 weeks, plus a finals week

~~Civil Procedure~~ (3 quarters)

~~Evidence~~ (2 quarters)

~~Community Property~~ (1 quarter)

~~Professional Responsibility~~ (1 quarter)

~~Business Associations~~ (1 quarter)

~~Elective*~~ (1 quarter)

4L Courses

Quarters are 10 weeks, plus a finals week

~~Property~~ (3 quarters)

~~Remedies~~ (2 quarters)

~~Elective*~~ (1 quarter)

4L CBX oriented electives:

- ~~Legal Principles and Elements~~ (1 quarter)

- Advanced Legal Writing (1 quarter)

- Competency & Performance (1 quarter)

* 2/3/4Ls suggest/vote on list of prospective elective courses.

Competency/trial advocacy preferred.

~~strikethrough-text~~ indicates course filled



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PCL 2020-2021 ACADEMIC YEAR

1L Courses

Quarters are 10 weeks, plus a finals week
~~Legal Writing for 1Ls~~ (3 quarters)
~~Contracts~~ (3 quarters)
Torts (3 quarters)
Criminal Law (2 quarters)

2L/3L Courses (middle cohort)

Quarters are 10 weeks, plus a finals week
Constitutional Law (3 quarters)
Legal Research (1 quarter)
Criminal Procedure (2 quarters)
Wills and Trusts (2 quarters)
Elective* (1 quarter)

4L Courses

Quarters are 10 weeks, plus a finals week
~~Property~~ (3 quarters)
~~Remedies~~ (2 quarters)
Elective* (1 quarter)
4L CBX oriented electives:
- Competency & Performance (1 quarter)
- Advanced Legal Writing (1 quarter)
- Legal Principles and Elements (1 quarter)

* 2/3/4Ls suggest/vote on list of prospective elective courses.
Competency/trial advocacy preferred.

~~strikethrough text~~ indicates course filled



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PCL 2019-2020 ACADEMIC YEAR

1L Courses

Quarters are 10 weeks, plus a finals week
~~Legal Writing for 1Ls~~ (3 quarters)
~~Contracts~~ (3 quarters)
Torts (3 quarters)
~~Criminal Law~~ (2 quarters)

2L/3L Courses (middle cohort)

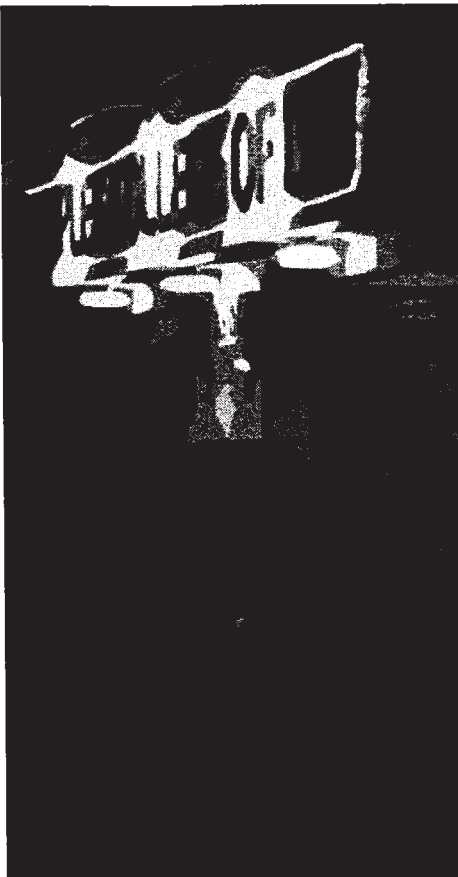
Quarters are 10 weeks, plus a finals week
Civil Procedure (3 quarters) (Fall Filled)
Evidence (2 quarters)
~~Community Property~~ (1 quarter)
~~Professional Responsibility~~ (1 quarter)
Business Associations (1 quarter)
Elective* (1 quarter)

4L Courses

Quarters are 10 weeks, plus a finals week
Property (3 quarters) (Fall Filled)
Remedies (2 quarters)
Elective* (1 quarter)
4L CBX oriented electives:
- Competency & Performance (1 quarter)
- Advanced Legal Writing (1 quarter)
- Legal Principles and Elements (1 quarter)

* 2/3/4Ls suggest/vote on list of prospective elective courses.
Competency/trial advocacy preferred.

~~strikethrough-text~~ indicates course filled



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ORIENTED ATTORNEY?**
**WANT TO TEACH LAW TO
LIKE-MINDED STUDENTS SO THAT
THEY CAN PRACTICE IN THE
PUBLIC INTEREST, BUT DON'T
HAVE TO MORTGAGE THEIR
FUTURES TO STUDENT LOANS?**
**CONSIDER JOINING US
AT PEOPLES COLLEGE OF LAW**
**GAIN VALUABLE EXPERIENCE
AND EARN MCLE CREDITS**
PEOPLES COLLEGE OF LAW.EDU
@peoplescollolaw
(213) 483-0083
email resumé to fcc@peoplescollegeoflaw.edu

PCL 2018-2019 ACADEMIC YEAR

1L Courses

Quarters are 10 weeks, plus a finals week
~~Legal Writing for 1Ls (3 quarters)~~
~~Contracts (3 quarters)~~
~~Torts (3 quarters)~~
~~Criminal Law (2 quarters)~~

2L/3L Courses (middle cohort)

Quarters are 10 weeks, plus a finals week
~~Constitutional Law (3 quarters)~~
~~Legal Research (1 quarter)~~
~~Criminal Procedure (2 quarters)~~
~~Wills and Trusts (2 quarters)~~
~~Elective* [Competency/
Trial Advocacy] (1 quarter)~~

4L Courses

Quarters are 10 weeks, plus a finals week
~~Property (3 quarters)~~
~~Remedies (2 quarters)~~
~~Elective* [Competency/
Trial Advocacy] (1 quarter)~~
4L CBX oriented electives:
Competency and Performance (1 quarter)
Advanced Legal Writing (1 quarter)
Legal Principles and Elements (1 quarter)

* 2/3/4Ls suggest/vote on list of
prospective elective courses

~~strikethrough text~~ indicates course filled



ATTACHMENT E

████████████████████ @gmail.com> Aug 25, 2023, 6:12 AM ☆ ↶ ::

████████████████████
Hello Edith,

Thank you for this information. Evidence is still missing from our courses. We are supposed to take that this year.

ATTACHMENT D91

H

hector [REDACTED]
to me ▾

Aug 25, 2023, 12:12 PM

☆ ↶ ⋮

I replied separately to her. Evidence is on rotaion C, which is next year so, its not missing. She'll have to wait to her 4L year. Also, can you send her the civil procedure book info shes asking for? The name of all books should be on the Amazon purchas receipt REDACTED sent us that you included in the August bar report.

Here's what I sent her:

[REDACTED]

I saw your email just now and wanted to answer your question asap since I know it's important. Feel free to share. You should be taking evidence next year under the attached cluster plan, its listed as rotation C for the 2024-2025 academic year, see attached.

-hp

...

ATTACHMENT E

Agenda Faculty Meeting – Friday, March 18, 2022, 6:00 pm

- I. Welcome — 1 min
- II. Introductions — 12 min
- III. Request for returning instructors — 10 min
 - A. Request help with recruiting
- IV. Reminder of the importance of submitting grades on time — 1 min
 - A. Spring is critical for FYLSX and CBX certifications
- V. What went well this year? — 10 min
- VI. What needs improvement — 10 min
- VII. CALI Excellence for the Future Award — 5 min
 - A. <https://www.cali.org/faq/15688>
 - B. Past Awards:
<http://www2.cali.org/index.php?fuseaction=excellenceawards.ViewAwardsPublic&school=1195&orderby=a.awardyear,%20a.lastname&whereclause=All&whereclause2=All>
- VIII. Request for faculty members to join the committee — 1 min

ATTACHMENT E1

Please use the outline structure in the back of barbi and then IRAC each distinct issue

12/35

Chowco v. Casa

Please IRAC Governing Law. Why is feed goods?

6 The Common Law governs contracts for services/real estate. This contract was to supply casa with all the feed it needs each month. Thus, the common law controls.

The UCC governs contracts for the sale of goods. Goods are defined as movable objects. This contract involves the sale of animal feed. Because animal feeds are goods, the UCC will govern this contract.

In addition, the UCC has special rules which apply when merchants are involved. Merchants are those who regularly deal in the particular goods. Here, both chowco and casa are merchants because they regularly buy and sell animal feed. Thus, the special rules for merchants apply to this contract

Please IRAC offer. What is your rule? Which facts go to which element of the rule?

2 Here we have Chowco making the offer based on its five years of operations that it would purchase between \$700 to \$900 of feed a month based on current market rates.

2 Chowco accepted by sending over their animal feed and holding the end of their bargain.

What is the quantity term? Is there a way to overcome the UCC requirement for that?

Chowco faxed over its standard form contract with NONE of the blanks filled in, Casa's executive director used the text from chowco's form and notes to create a memorandum with the details of their agreement. The terms of the contract from Chowco

Is there an issue about missing terms?

Is there an issue that addresses acceptance with differing terms under UCC?

ATTACHMENT 2.3A

The First Year at PCL

EXHIBIT 201A pg100 of 192

A Cost Breakdown including *approximations* of Non-PCL Costs

ITEM	COST*	Page ID
Peoples College of Law -- Application Fee (one-time)	\$50.00	
Early Application (Before June 1,)	\$75.00	
Late Application (After June 1)		
Peoples College of Law First Year Courses (33 quarter units -- pay for 27 units, get 6 free)	\$5000.00	
Peoples College of Law Accountability Fee	\$600.00	
California State Bar**- Law Student Registration***	\$119.00	
California State Bar** -- First Year Law Student Exam (FYLSX) Fee	\$624.00	
California State Bar** -- FYLSX Laptop Computer Fee	\$153.00	
Books** (approximate cost for the first year)	\$350.00	
TOTAL	\$6,971.00	

ATTACHMENT 2.3B

California State Bar** - FYLSX Laptop Computer Fee \$153.00

Books** (approximate cost for the first year) \$350.00

TOTAL \$6,921.00

*All costs are subject to change. May be subject to late filing fees

**Approximation of Non-PCL costs (provided here as a guideline only)

***Applies to first year only

To verify or for more information on the California State Bar fees [click here.](#)

ATTACHMENT 2.3C

October 24

First-Year Law Students' Exam
delivered by Prometric at test sites
across California

Fees

All applicants must pay the required fees:

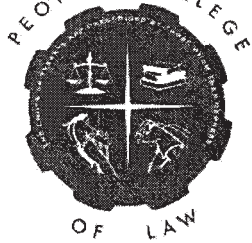
First-Year Law Students' Exam	\$624
Laptop computer fees	\$153
Late Laptop Computer Fee \$15*	\$15

**Request received subsequent to filing application*

The transfer of fees from one exam to another is prohibited.

Refunds requested due to hospitalization, death, or call to active duty will be considered in accordance with the Committee of Bar Examiners' refund policy. The refund form and copies of the policy are available on the State Bar website. Withdrawal requests can be submitted by logging into the Applicant Portal.

Address change



Peoples College of Law

660 S. Bonnie Brae, L.A., CA 90057
Tel.: 213 483-0083 | Fax: 213 483-2981
E-mail: dean@peoplescollegeoflaw.edu
"Over 49 Years of Educating People's Lawyers"

December 1, 2023

Dear Ms. Natalie Leonard,

Please find the December 1, 2023, monthly progress report enclosed.

Sincerely,

Ana Maria Lobos, Esq.
Interim Dean

1. Guidelines 1.9 and 2.10:

Bar's Inspection Report

"To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. One provision of the policy is: "Once each calendar month, the Administrator shall distribute a reminder of this Student Privacy Policy, with its full contents, to the Registrar, the Dean, and all officers, members of committees, members of the Community Board, employees and Faculty Members, by automatically scheduled email or otherwise." Starting at the beginning of this academic year, we have complied by distributing the policy by email every month to the required recipients. Our Student Information System, Populi, has been distributing it automatically on the first of every month to every student by sending them an individual email and copying the Administrator.

PCL'S Updated progress report as of 3/1/23:

PCL is waiting to be scheduled with the outsourced IT company for March 2023. We have tendered a deposit and we are waiting for a proposed project completion date from the IT company. Since the project was delayed in the winter, I am now requesting an expected completion date from the company and will also oversee this project.

The technology upgrade to Squarespace will remedy many of the process problems the organization has had in the past. Once Squarespace is upgraded members of our organization will be able to edit the website without the need for programming experience, or delays of waiting for programmers to update the website. Squarespace is user-friendly and designed as a do-it-yourself platform.

Once Squarespace is implemented, we plan to have a student services page where students can obtain information on how to access peer-to-peer tutoring, applying for disability accommodations (with timelines, forms required, data protection policies, etc), baby bar preparation program, enrolling for classes, etc.

Improving the delivery of information via Squarespace will be tremendously impactful for our organizational process improvement. This will eliminate the time spent on answering emails about the process, where the information can be easily made accessible on the website.

Given that PCL has had problems with the information to students not being readily accessible. The plan is to integrate a secured electronic form on the website in which students can apply for accommodations. Upon submitting the form, the students can expect an automated email that will have the expected timeline from which they can receive a determination.

A well-implemented technology plan will help maintain an orderly and more efficient working environment.

PCL'S Updated progress report as of 4/1/23:

PCL is in the process of implementing the technology plan. The technology plan implementation is about 50% completed. The outsourced contractor has successfully migrated the emails belonging to PCL administration from the Ipower host to Gsuite. The accessibility of Gsuite products will allow the school to run more effectively. Gsuite products will be quite useful in memorializing day-to-day office procedures in google drive. Google collaborative tools will allow PCL staff to run the office seamlessly. Google forms and Google docs will be quite useful in data collection.

The remaining 50% of the technology plan is currently in progress, which includes migrating the website to

PCL'S Updated progress report as of 5/1/23:

PCL's new website was launched on April 28, 2023. The website looks identical to the previous one with one major change. PCL staff members, faculty, and board members can now have access to making changes on the website. Squarespace provides software as a service (SaaS) for website building and hosting. This allows users to use pre-built website templates and drag-and-drop elements to create and modify web pages. No prior experience is necessary for website development needed to create and update the website. The goal is to create a webpage that specifically delineates the accommodations procedure, policy, and timelines. Forms will be made available on the website on its respective page and the information made available to the students.

The time expected for the update of the is about six weeks. We are creating the webpage in house, as such, it will take some time to brainstorm, design, create, test, launch and implement.

PCL'S Updated progress report as of 6/1/23:

We have made significant progress in ensuring the school's adherence to regulations and privacy policies.

First, we are pleased to announce that our new website was successfully launched on April 28, 2023. This development enables PCL staff members, faculty, and board members to access and make necessary changes to the website.

To facilitate website management, we have utilized Squarespace, a software-as-a service (SaaS) platform for website building and hosting. This intuitive platform offers pre-built templates and drag-and-drop elements, making website creation and modification accessible to users without prior development experience.

We are particularly excited to introduce the student services page on our website. This page serves as a valuable resource for students seeking information on how to apply for disability accommodations. It provides details on timelines, required forms, and data protection policies, ensuring transparency throughout the application process.

In order to streamline the accommodation application process, we have implemented a secure electronic form on the website. This form allows students to submit their accommodation requests conveniently. Upon submission, students will receive an automated email containing the expected timeline for receiving a determination on their application.

We believe these measures address your concerns regarding documentation, data security, and privacy. PCL remains committed to continually improving our procedures and ensuring compliance with applicable regulations.

PCL'S Updated progress report as of 7/1/23:

There have been no changes to the initiatives and measures outlined in the previous report. The progress reported last month remains unchanged, emphasizing our ongoing commitment to comply with regulations. Our focus continues to be on maintaining a secure and transparent environment through our new website, Squarespace platform, student services page, and secure electronic form for accommodation requests. These measures reinforce our dedication to addressing concerns regarding documentation, data security, and privacy while striving for continuous improvement.

PCL'S Updated progress report as of 8/1/23:

The policy remains intact and there have not been any further changes.

PCL'S Updated progress report as of 9/1/23:

Some examples of the type of documentation that would be kept in a student's file regarding an accommodation request are an Accommodations Request Form (Exhibit C- Accommodations Request Form), which the student is provided with by the administrator or via PCL's website; the Dean's decision in writing; and, if appropriate, an "Accommodations Granted" form, which is placed on the inside cover of the student file. (Exhibit D- Accommodations Granted Form)

Most recently, we have memorialized the procedures by which accommodations and related decisions and documents are to be processed and filed in our soon-to-be-completed Administration Manual. (Exhibit E-Administration Manual Accommodations Policy)

EXHIBIT A- FACULTY MANUAL ACCOMMODATIONS POLICY

Faculty Manual, Page 7, Section VII

Whether or not the Americans with Disabilities Act or California laws on disability and disability discrimination apply to PCL, PCL encourages students, faculty, and our entire community to know the California and Federal laws pertaining to the rights of people with disabilities. Per our mission statement, we are training lawyers and advocates to defend and expand the rights of those traditionally underserved, and that includes people with disabilities. Students, faculty, employees and volunteers who need accommodations for their disabilities should notify the Administrator, and may consult the Dean for additional assistance in obtaining accommodations. PCL will provide reasonable accommodations in classes, exams and other matters at PCL.

It is not uncommon for students at PCL to request disability accommodations for exams. The procedures for requesting and deciding on accommodations are in the Student Handbook & Catalog, which is on the PCL website. The Dean makes the decision, but it is reviewable by the Executive Committee. That committee is composed of the officers of PCL, including the Dean. PCL's policies and procedures on accommodations for disabilities are in the Student Handbook & Catalog, located on the PCL website

EXHIBIT B- STUDENT HANDBOOK ACCOMMODATIONS POLICY

Student Handbook, Catalog, Page 38, Section XX.

Whether or not the Americans with Disabilities Act or California laws on disability and disability discrimination apply to PCL, PCL encourages students, faculty, and our entire community to know the California and Federal laws pertaining to the rights of people with disabilities. Per our mission statement, we are training lawyers and advocates to defend and expand the rights of those traditionally underserved, and that includes people with disabilities.

Students, faculty, employees and volunteers who need accommodations for their disabilities should notify the Administrator. Students, faculty, employees and volunteers may consult the Dean for additional assistance in obtaining accommodations. PCL will provide reasonable accommodations in classes, exams and other matters at PCL. PCL will also help students access information and forms to apply to the State Bar for accommodations during examinations the Bar administers.

A student who has a disability, long term or short term, and wants an accommodation for it at PCL in taking exams or doing other academic work, must submit a written request for accommodation to the PCL Administrator. The request must state (a) what the disability is, (b) how it interferes with the student's ability to take exams or do other academic work, (c) what accommodations are requested and (d) how long the student requests the accommodations to be in effect. The request must be accompanied by a statement from a physician or other qualified professional stating, at a minimum, what the disability is and what accommodations should be given. The student may, in addition, submit other types of support for the request, such as verification of accommodations from undergraduate institutions or on the LSAT, and any other information and documentation the student believes is relevant to the request. Students must not send original documents, but should keep their original documents along with copies of everything they send submit.

Entering students are urged to apply during the first week of August. Continuing students are urged to apply as soon as they are aware of the need for accommodation. Students should use all reasonable efforts to submit a request and documentation no later than six weeks before an exam.

While PCL will make its best effort to process a student's request for accommodation promptly, a request can be denied if there is insufficient time to gather and evaluate the appropriate

extending a request accommodation.

The Administrator must send the request and all documents submitted in support of it to the Dean and the Executive Committee. The Dean will make the initial decision on the request, and must notify the student and the Executive Committee of the decision in writing. The decision must state whether the accommodation is granted, in whole or in part, and if granted, how long the student the accommodation will be in effect. After expiration of the time the accommodation is in effect, or within 60 days before the end of that time, the student may request renewal of the same or a similar accommodation, and must do so according to the same provisions as stated above.

The decision, whether denying the accommodation, or granting it in whole or in part, and the time during which it is in effect, is reviewable by the Executive Committee. The Executive Committee must review it if the student requests review within thirty days after receiving the decision from the Dean. The Executive Committee may review the decision even without a request for review, if the Executive Committee decides to do so thirty days after receiving the decision from the Dean. The Executive Committee must notify the student and the Dean of its decision on review within sixty days after the student's request for review or the Committee's own decision to review. There is no further right to review in PCL. However, the student may submit to any member of the Community Board a written request that the Community Board review the decision of the Executive Committee, and the Community Board may decide to review or not to review, in whole or in part.

Accommodations may consist of additional time to take exams or do other academic work, and may consist of any other reasonable accommodation. However, the maximum additional time for the exam or work may not exceed twice the time allowed to students who do not have accommodations for the exam or work, unless, on review, the Community Board determines that more than twice the time is warranted and reasonable.

In general, PCL will try to follow the policies of the State Bar of California for the Bar Exam and the First Year Law Students Exam regarding types of disabilities and types of accommodations in exams. As of February 2020, the State Bar's website states the following about those policies:

“If you have a disability that could affect your ability to take a test administered by the Committee of Bar Examiners, you may want to file early for testing accommodations. Testing accommodations are available to those with mental or physical disabilities as defined in Title 4, Division 1, Chapter 7, Rule 4.82 of the Rules of the State Bar of California (Admissions Rules). Applicants with temporary medical conditions, such as a pregnancy or broken leg, and mothers who are nursing may also file requests for accommodations.

“Depending on the nature of your disability, accommodations may include things such as: wheelchair access, permission to dictate to a typist or digital recorder, extended testing schedule, separate testing room, customized examination materials (i.e., Braille, large print, etc.), extended testing days, permission to bring and use specific items or medical aids.

“When completing the online testing accommodations application and required forms, you and your physician or specialist should request what you think is necessary to allow you to compete on an equal basis with all other applicants. You must also provide adequate documentation and rationale to support the requested accommodations and their relationship to the effects of your disability.”

Below are links to laws and information on the ADA and related California laws

Americans with Disabilities Act (ADA): <https://www.ada.gov/pubs/adastatute08.htm>

California Fair Employment and Housing Act and Related Laws and Regulations

<https://www.dfeh.ca.gov/legal-records-and-reports/laws-and-regulations/>

State Bar Testing Accommodations:

<http://www.calbar.ca.gov/Admissions/Examinations/Testing-Accommodations>

As stated above, all student applications and requests for accommodations, and all decisions on them, must be in writing. All such applications, requests, and decisions shall be placed in the student’s PCL file. A hard copy shall be placed in the physical file, which is stored in the locked file cabinets, and the electronic version shall be placed in PCL’s Student Information System, which has its own security protections. No such applications, requests, and decisions, and the student health

EXHIBIT C - ACCOMMODATIONS REQUEST FORM



People's College of Law

660 S. Bonnie Brae, L.A., CA 90057 Tel.:
213 483-0083 Fax: 213 483-2981
E-mail: administrator@peoplescollegeoflaw.edu

"Over 49 Years of Educating People's Lawyers"

SPECIAL ACCOMODATIONS REQUEST

SUBMIT THIS FORM TO THE REGISTRAR NO LATER THAN 45 DAYS PRIOR TO THE FIRST DAY OF THE EXAMINATION

NOTE: TESTING ACCOMMODATIONS GRANTED AT PEOPLES COLLEGE OF LAW MAY NOT BE THE SAME AS THOSE ALLOWED BY THE COMMITTEE OF BAR EXAMINERS OF THE STATE OF CALIFORNIA. FOR FURTHER INFORMATION ON THEIR POLICIES, PLEASE CONTACT THE CBE.

Student's Name: _____
Address: _____
Home Telephone: _____ Alternate Telephone: _____

1. Disability Status

- a. Are you (check all that apply):
[] Physically Disabled [] Learning Disabled [] Psychologically Disabled [] Other Disability
- b. When did your disability start? _____
- c. Did you have testing accommodations for LSAT? ____ CLEP? ____ If yes, please
describe: _____

2. Please describe the specific nature of your disability and how it affects you as a PCL student, in your studies, exams, or some other way _____

3. Please describe any academic and/or exam accommodations you have received in a post-secondary institution or in the workplace: _____

4. Describe the special accommodations you are requesting and state why they are reasonable and necessary: _____

5. Attach whatever current or recent documentation from a physician, psychologist, or other appropriate professional certifying your disability you have. (Required)

I certify the above information is true and correct.

Signature of Student Date: _____

EXHIBIT D - ACCOMMODATIONS GRANTED FORM

PCL-SER-00471



People's College of Law

660 S. Bonnie Brae, L.A., CA 90057 Tel.:

213 483-0083 Fax: 213 483-2981

E-mail: dean@peoplescollegeoflaw.edu

"Over 49 Years of Educating People's Lawyers"

ACCOMMODATIONS GRANTED

ADMIN NOTICE: This form should be attached to the very front of the inside of the student's file by two-prong fastener or otherwise. This will allow for easy visibility to the Administrator in reviewing the student file and serve as a reminder that the student has been granted accommodations. The form should be removed from the front of the file and placed with the rest of the accommodations documentation once the agreed-upon accommodations period has concluded.

INSTRUCTOR NOTICE: Instructors should be informed of granted accommodations as soon as possible after a decision has been made. An instructor should be made aware of this form so they may accommodate their student as necessary. The instructor is to be reminded that a student's accommodations are sensitive, personal, and private. Information shared with an instructor relating to the student's disability should be limited to the contents of this form. The instructor should not share the contents of this form or divulge the student's status as receiving accommodations with anyone.

STUDENT NAME: _____

|

ACCOMMODATIONS ARE IN EFFECT UNTIL: _____

WHAT ACCOMMODATIONS HAVE BEEN GRANTED?

EXHIBIT E- ADMINISTRATION MANUAL ACCOMMODATIONS POLICY

PCL ACCOMMODATIONS APPLICATION PROCESS

1. PROVIDE THE STUDENT WITH THE ACCOMMODATIONS REQUEST FORM

The Administrator should provide the student with the appropriate 'Accommodations Request Form' (included in the Attachments section at the end of this manual under the heading "Accommodations Materials") This form is also available on PCL's website under "Accommodations Request Form."

<https://www.peoplescollegeoflaw.edu/accommodations>.

2. REMIND STUDENT TO ATTACH SUPPORTING DOCUMENTS

The request must be accompanied by a statement from a physician or other qualified professional stating, at a minimum, what the disability is and what accommodations should be given.

3. UPON COMPLETION, STUDENT SUBMITS FORM AND SUPPORTING DOCUMENTS TO

PCL-SER-00472

4. ADMINISTRATOR SUBMITS TO DEAN

The Administrator must send the request and all documents submitted in support of it to the Dean and the Executive Committee. The Dean will make the initial decision on the request and must notify the student and the Executive Committee of the decision in writing.

FILING

1. THE ADMINISTRATOR MUST STORE THE DOCUMENTS IN STUDENT'S FILE

All applications, requests, and decisions regarding accommodations shall be placed in the student's PCL file.

A hard copy shall be placed in the physical file, which is stored in the locked file cabinets.

The electronic version shall be placed in PCL's Student Information System, Populi.

No such applications, requests, and decisions, and no student health records, are to be stored on any computer outside of PCL's Student Information System.

2. IF ACCOMMODATION IS GRANTED

1. FILE FORM

The Administrator should attach the ACCOMMODATIONS GRANTED form to the very front of the inside of the student's file by two-prong fastener or otherwise. This will allow for easy visibility to the Administrator in reviewing the student file and serve as a reminder that the student has been granted accommodations. The form should be removed from the front of the file and placed with the rest of the accommodations documentation once the agreed-upon accommodations period has concluded.

2. INFORM INSTRUCTORS

Instructors should be informed of granted accommodations as soon as possible after a decision has been made. An instructor should be made aware of this form so they may accommodate their student as necessary. The instructor is to be reminded that a student's accommodations are sensitive, personal, and private. Information shared with an instructor relating to the student's disability should be limited to the contents of this form. The instructor should not share the contents of this form or divulge the student's status as receiving accommodations with anyone.

Progress Report as of 12/1/23

The PCL Community Board has voted in agreement of adding the following additional language to PCL's accommodations policy:

In regard to barring student participation in accommodations request functions in order to protect private student health information:

No student (including student members of PCL committees, the Community Board and the Executive Committee) shall participate in any of the functions, deliberations, or votes relating to any accommodations request, unless, before participation by any student, the student who submitted the request consents in writing to participation by students in those functions.

If a student's private health information is discussed in any context during a committee meeting or Community Board meeting, meeting minutes shared with student board or committee members will be redacted to protect the student petitioner's privacy.

PCL-SER-00473

Members of committees and the Community Board should recuse themselves from deliberations, functions, or votes relating to any accommodations request where the member's impartiality in the deliberation, function, or vote might be reasonably questioned. Members who recognize a conflict should notify the other members of the committee or Community Board of their intent to recuse themselves of any matter where they believe a conflict may exist, and state their intent to seek recusal on the matter. If a member should choose to recuse themselves, the member should inform the committee or board Chair as soon as practical in a way that would not compromise or jeopardize the student's right to impartial deliberations, functions, or votes.

In regard to informing instructors about a student's need for accommodated testing:

Instructors should be informed of granted accommodations as soon as possible after a decision has been made. An instructor should be made aware of the submitted Accommodation Granted Form ("form") so they may accommodate their student as necessary. The instructor is to be reminded that a student's accommodations are sensitive, personal, and private. Information shared with an instructor relating to the student's disability should be limited to the contents of the form. The instructor should not share the contents of the form or divulge the student's status as receiving accommodations with anyone without the accommodated student's express consent.

2. Guideline 2.2(B)

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. ***Subsequent to the inspection, the school published a single clear policy, and provided a copy of that policy to the State Bar.***"

PCL'S Progress Report

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. This new policy appears in our Tuition and Enrollment Agreement and our Student Handbook & Catalog. In late August and early September 2020, the students signed their Tuition and Enrollment Agreements, with the refund policy prominently displayed. At the beginning of every quarter and before they can enroll in classes, each student has to read and sign the Tuition and Enrollment Agreement, which they have again done for the Fall and Winter Quarters of 2021 (2021-2022 Academic Year). The Student Handbook & Catalog, with the new refund policy, is posted on our website.

PCL's Updated progress report as of 3/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook.

PCL'S Updated progress report as of 4/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook. PCL is working with CBE staff on the analysis of the Fall and Winter disclosures. Data to be provided to the CBE on April 5.

PCL'S Updated progress report as of 5/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook. PCL is working with CBE staff on the analysis of the Fall and Winter disclosures. Data to be provided to the CBE.

PCL'S Updated progress report as of 6/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook.

PCL'S Updated progress report as of 7/1/23:

PCL's revised warning remains in the refund policy, Section VIII, paragraph 9 (b) of the handbook, ensuring students are aware of the refund process.

In accordance with the State Bar guidelines, PCL will process refunds for the indicated students in late August.

We have published a clear refund policy and provided a copy to the State Bar, demonstrating our commitment to clarity and consistency. Our refund policies have been updated, and refunds will be processed as per the State Bar guidelines. We have addressed the concerns raised in the Inspection Report by publishing a clear policy and sharing it with the State Bar.

PCL'S Updated progress report as of 8/1/23:

PCL has conducted an audit to verify Rule 4.241 compliance for all students enrolled in the 2022-2023 academic year. Based on our examination, the following non-compliant fees have been identified and are to be refunded to the respective students:

PCL-SER-00475

- Fall 2022: REDACTED
- Spring 2023: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

2. REDACTED

- Spring 2023: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

3. REDACTED

- Winter 2022: REDACTED
- Spring 2023: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

4. REDACTED

- Spring 2023: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

5. REDACTED

- Fall 2022: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

6. REDACTED

- Winter 2022: REDACTED
- Spring 2023: REDACTED

Total Refund: REDACTED
Refund Issued on 8.01.23

For a detailed breakdown of this information, please consult **Attachment A**. Additionally, receipts and proof of refunds are enclosed in **Attachment B**.

PCL'S Updated progress report as of 9/1/23:

As of August 1, 2023, PCL has done a complete compliance audit of Rule 4.241 and has issued the appropriate refunds for the 2022-2023 as requested by the June 2023 CBE motion. Our previous report mentioned one student who was not issued a report. This refund was not for the 2022-2023 school year. PCL is being proactive and in preparation of its October 2023 site visit, has begun auditing student records for the 2020-2021 and 2021-2022 school years. This additional audit will be complete by September 25, 2023. As appropriate, PCL will issue any potential refunds or fee reversals at the conclusion of this audit.

REDACTED REFUND NOT PAID ON August 1, 2023 (paid on August 8, 2023): On August 1, 2023, PCL was not aware that a refund was due to REDACTED pursuant rule 4.241 for the 2022-2023 school year as mandated by the CBE motion passed in June 2023 because REDACTED did not enroll for the 2022-2023 school year. Instead, PCL conducted a 4.241 audit of REDACTED records dating back to the 2020-2021 school year. Furthermore, his account required investigation of bank records that were not available prior to August 1, 2023. REDACTED has a history of requesting refunds for tuition fees that he has not paid; therefore, prior to August 1, 2023, PCL contacted Bank of America (BoFA) to verify all payments made by or on behalf of REDACTED. At that time, a BoFA telephone representative could not verify a payment made by REDACTED on 12/31/2021. Based on this information, a refund was not due; however, PCL, believing it received erroneous information from BoFA, requested bank records that were available until August 4, 2023. After reviewing the newly available bank records on the

To ensure future compliance with Rule 4.241, PCL will strictly enforce its existing policy of requiring a signed disclosure and adhering to all requirements of rule 4.241 before allowing students to register for an academic term and creating an invoice. In addition, PCL has adopted a policy of quarterly audits to ensure the enforcement of such policy and immediate refund or reversal of fees for any payment not in compliance with Rule 4.241.

PCL'S Updated progress report as of 10/1/23:

PCL's website and Student Handbook, which is available to students at any time via PCL's website, currently states our policies for refunds. The following is copied and pasted from PCL's current Student Handbook:

9. Withdrawals, Cancellation and Refunds: PCL's refund policy is set out in the Agreement for Enrollment and Tuition, as follows

(a) At any time beginning with the start of the fall quarter covered by this agreement, the student may cancel this agreement and receive a prorata refund calculated on the basis of a 9 month "refund year," defined as the fall, winter and spring quarters (i.e. excluding summer sessions, if any). There are 11 weeks per quarter (ten weeks plus finals week), three quarters per academic year, and thus 33 weeks per academic year. That is 77 days per quarter, 231 days per academic year. Thus, for example, if a student has paid all amounts for the academic year and cancels this agreement on the 60th day of the fall quarter, there would be 191 days left in the refund year. Thus, the refund will be 171/231 of the amount the student has paid (the student paid all amounts for a full year). But the application fee is not refundable.

(b) Also, with the written permission of PCL signed by an officer or the Registrar or the Administrator, a student may withdraw from less than all the student's courses and receive a prorata refund calculated using the same formula as in the preceding paragraph, but modified. The modification is to account for the fact that the student is withdrawing from less than all courses. For example, suppose (a) a student has paid all amounts for a full quarter (11-weeks, 77 days); (b) the student has enrolled for three courses for the quarter, (c) the student withdraws, from one course only, on the 37th day of the quarter (with 40 days left); then (d) the refund of the charges for the quarter would be 40/77 divided by 3. But the application fee is not refundable.

(A rare exception would be if the student has 270 classroom hours in the academic year in the courses the student did not withdraw from, which is nearly always impossible at PCL because of the limited number of courses and hours PCL offers each year).

(c) All cancellations, withdrawals and rests for refunds must be stated in writing, must be signed by the student, and must be delivered to the PCL Administrator, Registrar or Dean, whose signature must appear on the cancellation, withdrawal or request, indicating that it has been delivered.

As of October 1, 2023, the Student Handbook (available on the website) reflects that all students shall be provided with the most current disclosure statement every quarter. If a student pays tuition prior to signing the disclosure statement, the student may be entitled to a refund of their tuition payment for that quarter.

In compliance with Rule 4.24, all of the current students enrolled in classes for the 2023-2024 school year have signed the disclosure statement. Checks and balances have been put into place at PCL requiring students to sign the disclosure statement, currently via DocuSign, prior to being able to enroll in classes. The current practice is, the Administrator receives a copy of the signed disclosure, at which point the Administrator officially enrolls the student in their appropriate student course and grants the student access to their current course schedule. The Administrator will not accept tuition payment for that current quarter unless the Administrator has received a signed disclosure statement.

PCL’S Updated progress report as of 11/1/23:

There have been no changes. Our refund policy is clearly stated in our Student Handbook and on our website. PCL’s practices are in line with the stated policy.

PCL’S progress report as of 12/1/23:

In regard to the State Bar’s request that PCL review its Rule 4.241 disclosures for all students who attended school during the 2020-2021 and 2021 to 2022 academic years, PCL has been able to verify that it did disseminate, and that students did **receive** appropriate disclosures at least once during each academic year of 2020-2021 and 2021-2022. A question remains as to whether the word “term” refers to a quarter or an entire academic year. Rule 4.24 (B)(2) states that the disclosure statement must be provided to each returning student, prior to payment of any fee for an **academic term**.

Rule 4.24(E) states that a refund of owed for students who did not **receive** a disclosure statement, not those who did not **sign** a disclosure. The Rule states “A law school that does not comply with this rule must refund all fees, including tuition, paid by a student who did not **receive** the disclosure statement.”

As PCL considers these distinctions with the assistance of State Bar staff, it will finalize calculating how much is owed in refunds to each of the students listed below who has been identified as someone for whom PCL does not have a signed disclosure on file for at least one term.

REDACTED
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REDACTED

#:5930

3. Guideline 2.3(B) Bar's Inspection Report

"To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that did not meet these criteria, and added the language regarding frequency.*

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by deleting from the Student Handbook & Catalog the courses required to be deleted. Also, this past summer (2020) we had two elective courses, clinical courses on Criminal Defense and Eviction Defense. It was the second year in which the clinical course on Criminal Defense was given, the first year for Eviction Defense.

PCL's updated progress report as of 3/1/23:

PCL has remained in compliance with item #3.

PCL'S Updated progress report as of 4/1/23:

The policy remains intact and there have not been any further changes. **PCL'S Updated progress report as of 5/1/23:**

The policy remains intact and there have not been any further changes. **PCL'S Updated progress report as of 6/1/23:**

The policy remains intact and there have not been any further changes. **PCL'S Updated progress report as of 7/1/23:**

The policy remains intact and there have not been any further changes. **PCL'S Updated progress report as of 8/1/23:**

The policy remains intact and there have not been any further changes.

PCL'S Updated progress report as of 9/1/23:

As explained in the previous reports PCL came into compliance by deleting from the Student Handbook & Catalog the courses required to be deleted.

Updated progress report as of 10/1/23:

The Student Handbook & Catalog, which is also posted on our website, currently lists only classes that are currently being offered at PCL and/or which have been offered within the past 3 years or will be offered within the next 2 years.

PCL-SER-00480

For an unspecified period of time until October of 2023, there appear to have been 2 different versions of the Student Handbook displayed on PCL's website. Since then, the out-of-date handbook has been removed and the current handbook has been revised to ensure that only courses offered since 2020 and in PCL's immediate plans are displayed in the course catalog. The students have been made aware of the situation via an email sent by the interim dean on October 12, 2023.

Updated progress report as of 12/1/23:

This recommendation from the State Bar requested that PCL remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. PCL has adopted this language on its website and in its publications.

4. Guideline 2.3(D)

Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and implemented.*”

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by correcting, revising and implementing the disclosures. Since then, the required disclosures were made in the Tuition and Enrollment Agreements signed by each student at the start of the Fall and Winter quarter. The Rule 2.3(D) disclosure has been updated to reflect the change in the principal method of instruction, a change caused by COVID-19, from physical classroom instruction to online interactive instruction. On October 18, 2020, well before the deadline in Rule 4.241, our prior Dean Ira Spiro signed and sent to the State Bar the certification of compliance required by the rule. In connection with preparation of the Annual Compliance Report, the Business and Professions Code section 6061.7 disclosure is being updated.

PCL's updated progress report as of 3/1/23

In addition to the above efforts, Jostle, a technology tool is also being utilized to memorialize school operations and procedures, important deadlines, and important events.

PCL's updated progress report as of 4/1/23

A report is being prepared with the requested information by the CBE and will be received no later than April 5.

PCL's updated progress report as of 5/1/23

PCL submitted the report on April 5 and is now working on the follow-up questions requested by the State Bar, which will be submitted via email.

PCL's updated progress report as of 6/1/23

PCL submitted the report on April 5 and is now working on the follow-up questions requested by the State Bar, in May which will be submitted via email.

PCL's updated progress report as of 7/1/23

PCL has diligently addressed the need for accurate implementation of disclosure statements as mandated by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241. We have taken necessary corrective measures to ensure the accurate and complete implementation of these disclosures.

Regarding the refund process, we have identified certain students who will be eligible for refunds. These students include those for whom their disclosures couldn't be located in our records, as well as those who made payments before receiving the disclosures.

We understand the importance of providing timely refunds to these eligible students and are committed to processing them in a prompt manner. As such, refunds will be issued to these students in mid to late August.

PCL'S Updated progress report as of 8/1/23:

PCL-SER-00482

Regarding the refund process, we have identified eligible students and issued the refunds to them.

PCL'S Updated progress report as of 9/1/23:

Disclosures on the website and the handbook are up to date. As previously stated, they have been updated with the most current information. Furthermore, PCL no longer rely on volunteers for website updates and the Administration now manages and maintains our website. Furthermore, the Administration has calendared quarterly reviews of the website to ensure compliance.D

PCL'S Updated progress report as of 10/1/23:

As of September 29, 2023, all of the current students enrolled in classes for the 2023-2024 school year have received the current disclosure statement and have signed the disclosure statement. The students signed the statement via DocuSign, prior to being able to enroll in classes. Upon receipt of the signed disclosure, the Administrator officially enrolled the student in their appropriate student course and granted the students access to their current course schedule.

As of September 29, 2023, PCL's website currently displays the Notice of Probation, January 2023 Annual Disclosure by Unaccredited Law Schools, and the Disclosure Required by Rule 4.241 For Unaccredited Law Schools.

Upon Interim Dean Lobos' review, PCL is no longer using Jostle but is in the practice of using Google Calendar, Gmail, and the digital recording of Zoom meetings in order to memorialize meetings and other law school operations.

PCL's Update Progress as of 11/1/23:

As PCL prepares to enter into a new quarter on November 27, 2023, we are in the process of updating our disclosures and student agreements.

PCL's Update Progress as of 12/1/23:

PCL's disclosure form was updated and included as part of the student's enrollment agreement, which was disseminated and signed by students prior to the beginning of the winter quarter.

5. Guidelines 2.9(A)-(B) and 5.24

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided evidence of the updates as required.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising these policies as required. One of the changes in our policies has to do with student privacy. Specifically, our Student Handbook & Catalog now prohibits students from participating in proceedings involving possible academic disqualification of other students without consent of the student in jeopardy of disqualification. Likewise, it prohibits students from participating in academic grievance proceedings without the consent of the student who made the grievance.

PCL's Updated progress report as of 3/1/23:

The policy changes remain in effect and are being followed.

PCL'S Updated progress report as of 4/1/23:

The policy revisions remain in effect. There is no change to report. PCL'S Updated

progress report as of 5/1/23:

The policy revisions remain in effect. There is no change to the report. PCL'S Updated

progress report as of 6/1/23:

The policy revisions remain in effect. There is no change to the report. PCL'S Updated

progress report as of 7/1/23:

The policy revisions remain in effect. There is no change to the report.

PCL'S Updated progress report as of 8/1/23:

The policy revisions remain in effect. There is no change to the report.

PCL'S Updated progress report as of 9/1/23:

PCL has updated its website and publications and continues to make updates to its catalog and website.

PCL'S Updated progress report as of 10/1/23:

The Interim Dean's review of the Student Handbook has determined that the current PCL Student Handbook and Website reflect accurately and clearly the academic standards and student assessment policies. Policies are clearly stated regarding grading standards, grading anonymity, written exam standards, student absence from an exam, the basis of grades, dates by which Faculty must submit grades, withdrawal from courses, plagiarism, student inspection of exams, and students showing inadequate academic progress. The Handbook also lists all subjects currently tested on the California Bar

PCL remains in compliance with this guideline. The school's academic standards and student assessment policies are stated accurately, clearly, consistently, and as mandated.

PCL'S progress report as of 12/1/23:

PCL's policies are in adherence with these guidelines.

In the October 2023 Inspection Report, State Bar staff states that

"the Catalog omits information about course repetition, such as the specific circumstances under which a course must be repeated and the impact of repetition on grade point average."

PCL addresses course repetition in several parts of the Student Handbook.

For example, in a section titled "Advancement in Good Standing" on Page 25 of the Student Handbook, it states :

"The student must have received a passing grade for all quarters of each course the student took, except for courses from which the student withdrew using proper procedures.

In the student's first year courses, the student must not have more than one grade lower than 70 (C-) for any course in any quarter.

The student must have a grade point average of 73 (C) or better for all final grades for the quarter in all the student's courses combined."

Student Handbook, page 26, states these same requirements as listed above as "Requirements for Graduation and Certification to Take Bar Exam." As of the end of the student's fourth year courses, the student must have satisfied all the above requirements in order to be permitted to advance graduate with a J.D. degree and be certified to take the California Bar Exam.

Additionally, the handbook states on Page 30:

"Repeating a Course or Quarter after Failing and Thus Not Completing 270 Hours: If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies. Because of State Bar requirements that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order to be eligible for the J.D. degree and to take the FYSX and the Bar Exam, cannot make up for the failed course or quarter by repeating only that course or quarter again in a later academic year, but instead must repeat the entire year's courses

(Note that failing a course might not result in failing to successfully complete 270 hours in an academic year, if during the academic year the student completed courses whose total hours exceed 270. As of 2020, PCL normally offers exactly 270 hours of classes for 2L, 3L, and 4L students, but 330 hours for 1L students.)"

Page 28 of the Handbook states, "...students who failed a PCL course and want to repeat the course can begin repeating the course starting later than the start of an academic year, but this exception

On Page 29 of the Student Handbook, addresses the issue of duplicate credit:

“No Duplicate Credit: Duplicate credit will not be given for repeating the same or substantially the same course or quarter, whether the courses or quarters are both taken at PCL or at another school, or partly at PCL and partly at another school.”

Page 30 of the Student Handbook addresses the issue of repeating a course after a student fails or does not complete the 270 hour requirement:

“If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies.

Because of State Bar requirements that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order to be eligible for the J.D. degree and to take the FYLSX and the Bar Exam, cannot make up for the failed course or quarter by repeating only that course or quarter again in a later academic year, but instead must repeat the entire year’s courses

(Note that failing a course might not result in failing to successfully complete 270 hours in an academic year, if during the academic year the student completed courses whose total hours exceed 270. As of 2020, PCL normally offers exactly 270 hours of classes for 2L, 3L, and 4L students, but 330 hours for 1L students.)

6. Guideline 2.9(C) Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising the policies as required. The Dean has reviewed the syllabi that have been entered into Populi, our electronic information system, and finds that all but three professors have included, in their syllabi, written statements of the components of course grades, but two of those are pass-fail courses.

Attachment 1 to this report is examples of the statements of the components of course grades, contained in faculty members' syllabi.

PCL's Updated progress report as of 3/1/23:

The Dean continues to work with an active FCC (Faculty Curriculum Committee). The meetings are scheduled monthly as an oversight measure for continuous curriculum improvement.

Additionally, this year PCL is integrating curriculum alignment faculty meetings with the 1L faculty. The purpose of the meeting was to support the first-year exam preparation efforts taking place on Saturday, with our resource coordinator, and the academic preparation in the classroom. In the meeting held on February 24, 2023, academic pacing plans were discussed, as instructional methodologies and feedback support.

PCL'S Updated progress report as of 4/1/23:

Students are provided with written statements of components of those grades. Those statements can be found in the student handbook. The student handbook is accessible online 24 hours a day. The written statements of the components of course grades are also found in the course syllabus.

PCL'S Updated progress report as of 5/1/23:

The policy and procedure remains the same. There has been no change.

PCL'S Updated progress report as of 6/1/23:

The policy and procedure remains the same. There has been no change.

PCL'S Updated progress report as of 7/1/23:

The policy and procedure remains the same. There has been no change.

PCL'S Updated progress report as of 8/1/23:

The policy and procedure remains the same. There has been no change.

PCL'S Undated progress report as of 9/1/23:

PCL-SER-00487

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PCL's current practice requires that each course instructor is required to provide PCL with a course syllabus prior to the beginning of the first class of the quarter. PCL has set out a standard for the syllabus which requires that the course's grading components be clearly stated on the syllabus. Each syllabus is required to be turned into the Administrator prior to the first instructed class of the course. The Administrator then reviews the syllabus and verifies that the grading components are clearly stated. The Administrator specifically checks to make sure that the grade is based on academic merit and not in large part on class participation. Class participation is not to exceed 3% of a student's grade. In situations in which the Administrator has not provided such a syllabus, a syllabus is created by the Dean and provided to the students by the Administrator. Once the syllabus has been distributed, the instructor is not allowed to amend the syllabus.

Updated progress report as of 10/1/23:

Per our most recent review, we have verified that PCL's current practice requires that each course instructor is required to provide PCL with a course syllabus prior to the beginning of the first class of the quarter. PCL has set out a standard for the syllabus which requires that the course's grading components be clearly stated on the syllabus. Each syllabus is required to be turned into the Administrator prior to the first instructed class of the course. The Administrator then reviews the syllabus and verifies that the grading components are clearly stated. The Administrator specifically checks to make sure that the grade is based on academic merit and not in large part on class participation. Class participation is not to exceed 3% of a student's grade. In situations in which the Administrator has not provided such a syllabus, a syllabus is created by the Dean and provided to the students by the Administrator. Once the syllabus has been distributed, the instructor is not allowed to amend the syllabus.

Per PCL's review of this policy, it is clear that this policy is working well. Of the 9 current classes offered during the Fall Quarter of 2023, 8 of the 9 faculty members complied with the policy in a timely manner. One Instructor had technical issues and was unable to provide PCL with the syllabus prior to the beginning of the instruction of his first class. The Dean and Administrator were able to correct the technical difficulty and the students were provided with a syllabus prior to the end of instruction of the first class of the quarter. It is clear that PCL's policy of employing an Administrator who is on-location and always available to the students and faculty during class hours is an effective and necessary policy.

The Student Handbook and Website provide very clear academic standards regarding student grading and assessment.

Updated progress report as of 11/1/23:

Students continue to be provided with written statements of the components of course grades, via their syllabi and student handbook.

Updated progress report as of 12/1/23:

In regard to the Winter 2023 Quarter, syllabi were provided to the students before classes began on November 27th, 2023. The syllabi were reviewed for accuracy and adherence to PCL policy, and included clearly stated grading components of the class. The students were given access to syllabi in advance of their classes in order to provide enough time for them to buy the necessary textbooks and course materials.

7. Guideline 2.9(D) Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it is actively evaluating options to implement secure testing.*"

PCL'S Progress Report

During the Fall Quarter of 2020, PCL adopted the following policy and procedures on authentication of student work:

POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

A. Exams: All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that exams are given with Microsoft Teams. Teams requires students to register for each exam. The students' exam answers are sent to the Microsoft Teams account and only accessible through Teams. When taking the exams, the students' computer screens are locked upon being opened by the student, and thus the students cannot access other materials while the test is being taken. While taking the exam, the student is observed by the exam proctor through the webcam. The students' exam answers are submitted to the proctor through the students' Microsoft Teams account.)

B. Remote Class Participation: In all classes given remotely every student should have their video activated during the entire class, unless the student has hardware or software issues related to their computer or internet service provider or an extraordinary circumstance.

(The Faculty-Curriculum Committee notes that online classes are given via Zoom only. The students attend class via Zoom. The students' names are shown during the class. The students are on camera during the class. Students speak during the classes, and their voices also identify them.)

PCL's Updated progress report as of 3/1/23:

The Dean continues to work with an active FCC (Faculty Curriculum Committee). The meetings are scheduled on a monthly basis as an oversight measure for continuous curriculum improvement.

Additionally, this year PCL is integrating curriculum alignment faculty meetings with the 1L faculty. The purpose of the meeting was to support the first-year exam preparation efforts taking place on Saturday, with our resource coordinator, and the academic preparation in the classroom. In the meeting held on February 24, 2023, academic pacing plans were discussed, as instructional methodologies and feedback support.

PCL'S Updated progress report as of 4/1/23:

PCL continues its contract with Test Invite to provide testing services. Test Invite provides a platform in which students can take their exams in which exam integrity will be in place. PCL continues to use Test Invite's consulting services. Test Invite takes an exam from PCL and individually programs each exam into their system. When the students take the exam utilizing the Test Invite system there are several features that provide for exam security, for instance, notification to the test proctor that another screen has been utilized, in which case the exam is immediately

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PCL retains the same policy on exams as before. PCL continues to use Test Invite to protect its test integrity. Additionally, when PCL returns on-campus for in-person instruction, there will be a proctor present during the testing session. This will be in addition to the use of Test Invite. Further, PCL is exploring the option of transitioning its exam software to Examsoft in the future.

PCL'S Updated progress report as of 10/1/23:

The State Bar has requested that, in order for PCL to bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software.

PCL has not yet administered any exams during the Fall Quarter of 2023. The first in-person exam since the Fall Quarter started is scheduled to take place on October 10, 2023, at which time TestInvite will continue to be utilized in order to provide the CBE's requested additional layer of exam-security.

PCL'S Updated progress report as of 11/1/23:

PCL will offer 2 layers of exam security on its upcoming final exams by using Test Invite and a live proctor.

PCL'S Updated progress report as of 12/1/23:

My interviews of former administrative heads of the law school since 2020 indicates that there has been no such policy of "allow(ing) professors to override the use of exam software or to accept submissions that were not monitored or authenticated."

In October, PCL sent a response to Natalie Leonard and Law School Regulations titled "Response to 10.6.23 Email From Natalie Re: Follow Up Items For Committee." In this communication, PCL addressed the following question, sent to PCL by Natalie Leonard.

Natalie Leonard's Question: "(Item 7): Authentication: The law school uses TestInvite or live proctors to ensure authentication, but the handbook appears to provide discretion to avoid these authentications, and the law school does not discuss how this affects authentication. Will such exceptions be continued?"

PCL's response: "No, PCL has been very stringent about requiring testing software and proctored exams. We have solely used testing software since the Covid pandemic until returning to in-person class instruction this Fall. Since then, two Fall midterms (in which there was only one student) were proctored."

Currently, instructors have no access or involvement in the testing process at PCL at all. Exams are conducted on campus, without instructors present, and are proctored by a live proctor. In addition, exam security software is used for all exams administered electronically."

During the years of remote exam administration due to Covid, PCL abided by the following exam authentication and security policy which has been reported previously in this progress report document.

"POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

Adopted by Faculty-Curriculum Committee October 20, 2020

A. Exams: All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems.

8. Guidelines 2.10 and 5.17

Bar's Inspection Report

“To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL'S Progress Report

We have begun implementing our new administrative grade review policy. Our committee in charge of it, the Faculty-Curriculum Committee, has met to formulate plans for the first implementation.

Registrar/Administrator has adjusted our Student Information System to hold the grades for administrative review before the grades are issued to students and entered in their transcripts.

PCL's Updated progress report as of 3/1/23:

PCL continues to utilize the grade review policy in the student handbook. With the transfer of the website to Squarespace, the grade view process for students will be easily accessible under the student section of the website.

The technology plan includes a section for students to find readily available information such as the grade review policies, forms for such procedures, timelines that include automated confirmation of submission.

PCL'S Updated progress report as of 4/1/23:

The technology plan is in the implementation stage with the outsourced contractor. Within the next seven to ten days the website will be migrated to Squarespace. Subsequently, a student services page that includes the procedure for grade review will be developed to help navigate the process more clearly.

PCL'S Updated progress report as of 5/1/23:

The answer to this question is similar as in question one. PCL's new website was launched on April 28, 2023. PCL staff members, faculty, and board members can now have access to making changes on the website. This allows users to use pre-built website templates and drag-and-drop elements to create and modify web pages. No prior experience is necessary for website development needed to create and update the website.

The goal is to create a webpage that specifically delineates the grade review procedure, policy, and timelines. Forms will be made available on the website on its respective page and the information made available to the students.

The time expected for the update of the website is about six weeks. We are creating the webpage in house, as such, it will take some time to brainstorm, design, create, test, launch and implement.

PCL'S Updated progress report as of 6/1/23:

PCL's new website was launched on April 28, 2023. PCL staff members, faculty, and board members can now have access to making changes on the website. This allows users to use pre-built website templates and drag-and-drop elements to create and modify web pages. No prior experience is necessary for website development needed to create and update the website.

We have now successfully created a webpage that specifically delineates the grade review procedure, policy, and timelines. Forms are now available on the website on its respective page and the information made available to the students.

We want to assure you that the website update, as mentioned in the previous report, remains in effect. PCL has created a dedicated webpage specifically for the grade review process. This page serves as a centralized resource for students, providing all necessary information and access to the required forms.

We recognize the significance of offering clear and comprehensive information to our students. Hence, we are committed to maintaining up-to-date documentation of the grade review process, ensuring that the policy and relevant forms are readily available for their convenience.

PCL'S Updated progress report as of 8/1/23:

The policy and procedure remains the same. There has been no change.

PCL'S Updated progress report as of 9/1/23:

The law school continues to document the grade review policy and has placed the form on the PCL website in order to make it easily accessible to all students.

Additionally, PCL has updated its website to include a specific tab under Current Students with a drop-down menu dedicated to the grade review process. This page provides students with all necessary information regarding the process, as well as access to the required forms.

This is the link that explains the grade review process. The students have access to this link 24 hours a day on the website. <https://www.peoplescollegeoflaw.edu/gradereview>

PCL'S Updated progress report as of 10/1/23:

Per our most recent review of the website, the current policy regarding a student's request for grade review continues to be displayed as follows:

Any student who is dissatisfied with any decision by PCL administration or faculty affecting the student enrollment, status as a student in good standing or grade, or who is dissatisfied with the conduct, performance or teaching methods of any instructor, may submit a written grievance. The grievance can dispute a grade based on the student's belief that the examination or course grade resulted from unfairness, a departure from established grading policy, or a clearly shown mistake, or some other legitimate reason. The student should present credible evidence in support of a grade dispute if such evidence is reasonably available. The student shall state in the grievance whether or not the student consents to allow other students to participate in the functions of the FCC and other committees and bodies in connection with the grievance. Those functions are described below.

Step 1: If the grievance involves an instructor, the complaint should first be submitted to that instructor, who must have an individual discussion with the student or, if brought by a group of students, with the group, in a good faith effort to resolve the matter.

Step 2: If unresolved in Step 1, the student must submit the grievance to the FCC, or if the grievance does not involve an Instructor, to the Dean or the Chair of the Community Board. The FCC, the Dean, or the Chair, in the case may be, must engage in a good-faith effort to resolve the matter.

Step 3: If unresolved in Step 2, the FCC, the Dean, or the Chair, as the case may be, must submit the matter to the Community Board for final resolution. The Community Board may delegate this function to the Executive Committee. The Board and the Executive Committee may receive recommendations for this function from the

No student (including student members of the FCC, the Community Board, and the Executive Committee) shall participate in any of the functions, stated in this section, of the FCC, the instructor, the substitute, the Community Board, the Executive Committee, or any other committee or body unless, before participation by any student, the student who submitted the grievance consents in writing to participation by students in the functions. In addition, all persons, including students, who participate in those functions must have had one academic year of experience (at least nine months) in teaching or grading examinations in postsecondary education.

Complete the form below and send to administrator@peoplescollegeoflaw.edu.

The following form is available for download and submission on the website:

**PEOPLES COLLEGE OF LAW
PETITION FOR GRADE REVIEW**

Please see the appropriate sections of the Peoples College of Law (PCL) *Student Handbook & Catalog* for full instructions for this process. You may also contact the Dean, Administrator, or Faculty and Curriculum Committee (FCC) for assistance.

Student Name: _____ Student ID: _____

Quarter and Year: _____ Date Form Signed: _____

Course Subject: _____ Instructor's Name: _____

I have received a grade in a class that places me in Disqualifying Circumstances and on Academic Probation, or received a grade with which I am dissatisfied and want to contest. I respectfully request that the FCC and other PCL authorities consider my petition for the following (check all that apply):

- I want : ☐ To be granted an exception from disqualification and opportunity to amend my grade (I had special circumstances).
☐ To be granted an exception from disqualification and opportunity to make up attendance (I had special circumstances).
☐ To challenge the grounds for an assigned grade (I have a reasonable belief that I was graded unfairly).

If you are claiming special circumstance, please describe them here. You may attach additional pages and supporting documents.

_____ ☐ I am including (# _____ of) attachments.

If you are challenging a grade, please provide your rationale here. You may attach additional pages and supporting documents.

_____ ☐ I am including (# _____ of) attachments.

I submit this petition in good faith and attest that the foregoing is true. Student Signature: _____

By default student members of the FCC and other PCL positions are **not** permitted to be part of the petition review process for privacy reasons. You may submit a separate, signed statement if you wish to waive your rights to privacy in this regard.

PCL Administration Only

Date Received: _____ Date Final Disposition: _____ ☐ Approved ☐ Denied

Notes: _____

Reviewed by: ☐ Dean ☐ Administrator ☐ FCC ☐ Community Board ☐ Other

PCL-SER-00496

PCL'S Updated progress report as of 11/1/23:

In August of 2020, PCL implemented its first version of an Administrative Review Policy. This policy was updated again in September of 2021 and is stated on Page 73 of the Student Handbook as follows:

Administrative Grade Review Revised Policy

1. Before exams are administered, faculty will need to submit their exams and rubrics/issues outlines/model answers to the Faculty and Curriculum Committee (FCC) to review. The FCC will then assign reviewers, which can include the Dean, and other members of the FCC to review the exams and rubrics/issues outlines/model answers. Current faculty or student members of FCC cannot review their own exams and rubrics/issues outlines/model answers. Faculty will be informed of this policy at the orientation, and/or upon coming on board as a PCL faculty member.
2. Faculty will be provided a copy of the grading policy, and will be reminded of the grading policy for exams to be anonymous. Prior to grades being due, the faculty will once again be sent a reminder of the school's grading policies and to be mindful of grade inflation.
3. Once final exams have been conducted and after grades are entered in Populi, but before they are published (Populi calls this "finalizing"), the Administrator will review the grades to ensure they adhere to PCL grading policies, that grades are not inflated, and that there is no wide disparity in the grades among several instructors teaching the same group of students. The Administrator can use the grading matrix below as a general guide when considering grade inflation. The Administrator will notify the Dean and the FCC if there are grades that appear to have been inflated and if there is such a disparity so the committee can review.
4. The reviewers would include members of the FCC, the Dean, and former faculty members, but faculty would not, review their own grades.
5. If an instructor's grades appear to be inflated, the instructor will be sent a courtesy courteous letter asking them to review and reconsider their grades. This courtesy letter should be sent along with the same grade inflation notice that was sent prior to grade submission regarding grade inflation.
6. The instructor will review their grades and notify the FCC of any grade changes following their own review. If the instructor does not find any changes to be made, they will be asked to provide a short narrative explaining why they determined grade inflation is not present, or confer with the FCC and the Dean regarding the revisions. The reviewers will respect the faculty's professional judgment and may not override the grades, unless it is such a substantial departure from accepted academic norms as to demonstrate that the faculty did not actually exercise professional judgment.
7. Once the grades have been decided, they will then be sent to the Administrator to be published/finalized in Populi, and sent to the students. Faculty must use the grading matrix set out below. The matrix provides considerable flexibility. We are also providing a sample grading rubric for the exams to all faculty as a template.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range is usually under 15% of the grades, occasionally as much as 15%, but in classes with a small number of students, it can exceed 15%.
80 - 89 (B+ , B and B-)	Grades in this range should be only for excellent work, not merely good work. On an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range is usually under 25% of the grades, occasionally as much as 25%, but in classes with a small number of students, it can exceed 25%.
73 - 79 (C+ and C)	Grades in this range usually comprise the largest share of the grades, sometimes higher than 50% but sometimes it is not the largest share. In classes with a small number of students, it is often not the largest share. These grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 - 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range sometimes comprises 15% to 20% of the grades, sometimes higher than 20%, but sometimes lower than 15%. In classes with a small number of students, it can be less than 15%.
59 and below (F)	Failing. Unfortunately, there will sometimes be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

PCL'S progress report as of 12/1/23:

In the 2020 Inspection Report, the State Bar recommended that” To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements.

Subsequent to the 2020 inspection, the school adopted a compliant policy, provided the State Bar with a copy of that policy, and has continued to update the bar as necessary regarding the policy. There are no new updates to report since the last progress report in October 2023.

Bar’s Inspection Report

“To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school’s digital records. **Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in this report.** Populi is the main database the school is currently using.

PCL’S Progress Report

Our Registrar/Administrator has largely completed the very substantial job of entering the digital records into Populi.

PCL’s Updated progress report as of 3/1/23:

PCL continues to utilize the above-listed security measures.

PCL’S Updated progress report as of 4/1/23:

PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school’s digital records.

PCL’S Updated progress report as of 5/1/23:

PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school’s digital records.

PCL’S Updated progress report as of 6/1/23:

PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school’s digital records.

PCL’S Updated progress report as of 7/1/23:

PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school’s digital records.

PCL’S Updated progress report as of 8/1/23:

The policy and procedure remains the same. There has been no change.

PCL’S Updated progress report as of 9/1/23:

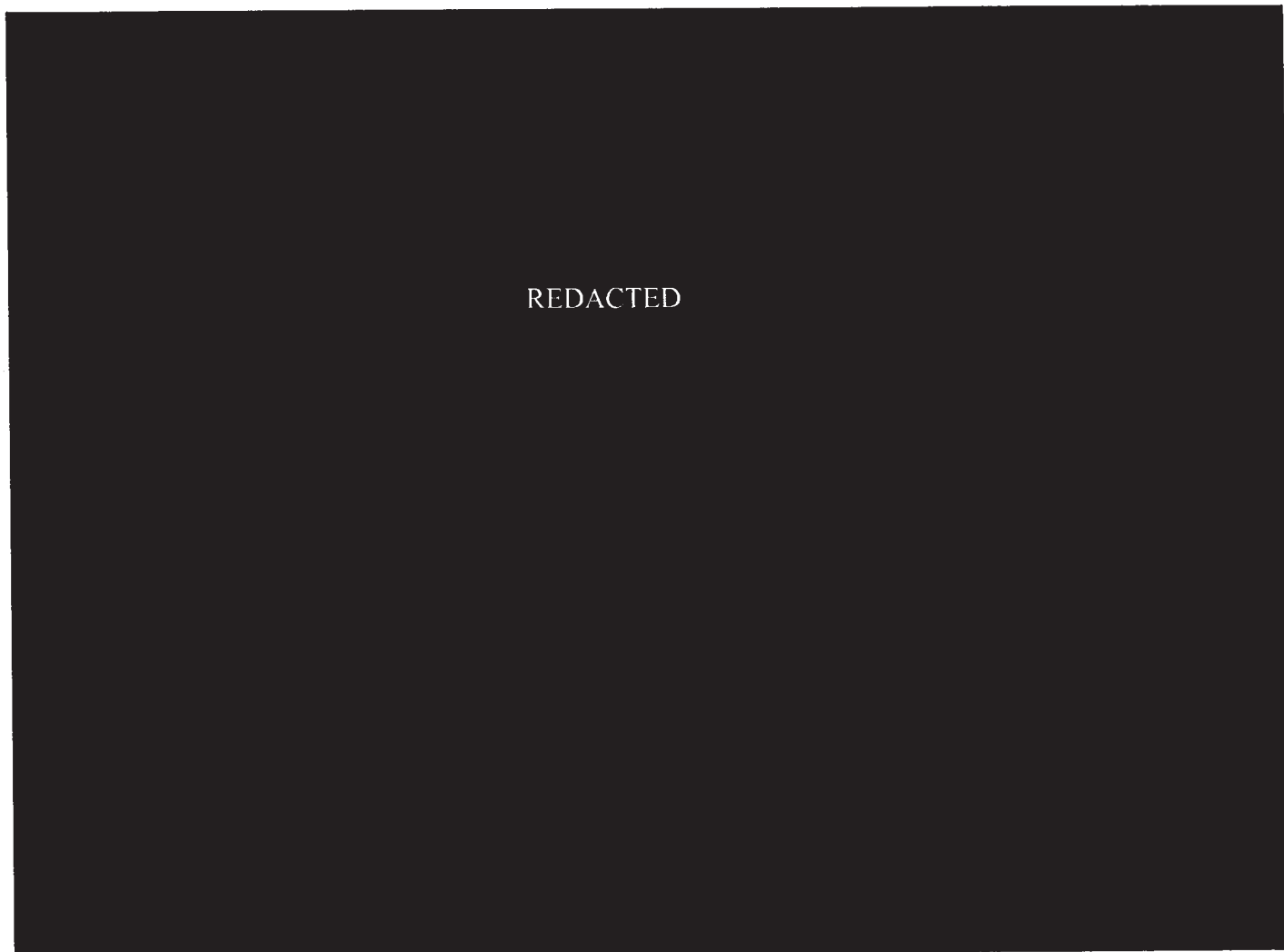
PCL continues to utilize the above-listed student information system, Populi. As such, Populi has built-in features that are adequate to protect the school’s digital records.

PCL’S Updated progress report as of 10/1/23:

PCL is continuing the extensive process of digitizing paper student files and uploading all available materials form permanent and easily accessible records. We will do this utilizing hard drives and the Populi system to keep records secure.

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privacy notices on a quarterly basis. The system keeps track of financial information per student. Additionally, the student can use the platform both to access assignments/notices from the instructor and consult the syllabus page. The system is easy to use and efficient. It is also convenient method by which an Instructor may communicate with their students and an automatic record is created of such communications.

Included below is an example (Identifying information redacted) of a student transcript that is currently being stored and accessed via Populi. This transcript can be accessed by the student or school administration at any time. The image has been included here as an example of Populi's capabilities and ease of use. The student or school administration can easily see the student's class schedule, grades, professors, etc. it has proven to be an effective, invaluable, and highly-preferred tool by the PCL student body, administration, and faculty.



PCL'S Updated progress report as of 11/1/23:

There has been no change, the school continues to preserve its digital files on Populi.

PCL'S progress report as of 12/1/23:

PCL continues to utilize Populi to store digital student records. PCL has continued in its process of digitizing records that were formerly available only in physical format. Additionally, PCL has been utilizing a password management app for many months in order to control access to PCL's digital files. This helps protect PCL's files, as recent statistics state that over 80 percent of digital breaches are caused by weak password security.

10. Guideline 3.1

Bar's Inspection Report

"To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. ***Subsequent to the inspection, the school hired a paid full-time administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its administrative capacity. The school also created compliant job descriptions for both the dean and the registrar.***"

PCL'S Progress Report

Our Registrar/Administrator continues working full-time. During this Fall and Winter quarters, others have greatly contributed to the school's administrative work. Following are some examples. Our current President, who was previously the Board Treasurer, pitched in when our Administrator had a medical emergency and had to take sick days until she was able to return to work. Our current Dean has also pitched in to assist when we were short-handed. Our current President, when he was the Treasurer also organized faculty, alumni and together with our Registrar, conducted our student orientation and our fall faculty meeting at the start of the 2021-2022 Academic Year in late August 2021. It should be noted that People's College of Law is a nonprofit corporation. This type of corporation has members rather than shareholders, and PCL's members are students faculty, alumni and former board members and officers. Our Development and Fundraising Committee, whose members are alumni, has weekly meetings with our professional fundraiser, and has begun planning an online fundraising event, which will be termed "PCL Alumni Reunion" We hope to attract alumnae by showcasing pictures of their graduating class and furthering our school's mission to get licensed attorneys who are social justice advocates into the communities that need them the most.

PCL's Updated progress report as of 3/1/23:

PCL continues to search for a permanent administrator/registrar. Currently, the position is being filled by John Duane, our resource coordinator. We have listed the position in [higherjobs.com](#) and the Idealist.

PCL'S Updated progress report as of 4/1/23:

The administrator/registrar position continues to be filled by John Duane, the interim administrator. The open position has also been listed on Zip recruiter since the last report.

PCL's Updated progress report as of 5/1/23:

PCL has hired a new administrator, Roger Aramayo. Roger is a Southwestern Law School graduate with significant management experience. PCL has currently two paid staff members, the Dean and the administrator and one student resource coordinator, John Duane.

PCL has approved an offer for the sale of its building and will be entering into a 60 day escrow. Proceeds from the sale will be reinvested back into the school to hire a full-time faculty member, additional staff members to fill areas of development, admissions and recruitment.

PCL's Updated progress report as of 6/1/23:

We have devised a timeline to hire additional full-time staff members, with a targeted completion date of August 15th. The timeline is as follows:

1. June 1-15: Job Posting and Recruitment

- Develop job descriptions for the development and admissions/registration positions.
- Advertise the job openings on relevant platforms and networks.

PCL-SER-00501

- Select the most suitable candidates for each role.

3. July 1-31: Onboarding and Training

- Extend formal job offers to the selected candidates.
- Coordinate the onboarding process, including completing necessary paperwork and background checks.
- Develop an orientation and training program for the new hires.
- Introduce the new staff members to relevant team members and familiarize them with their respective roles and responsibilities.

4. August 1-15: Finalization and Start Date

- Finalize employment contracts and other administrative procedures.
- Ensure the new hires are fully integrated into their respective departments.
- Provide any additional training and resources required for their success.
- August 15th will serve as the start date for the two full-time staff members, officially marking the completion of the hiring process.

By adhering to this timeline, we are confident in our ability to attract and hire qualified professionals who will contribute significantly to our school's development and admissions/registration processes. We will ensure a thorough and efficient hiring process to expedite the expansion of our staff and optimize the support provided to our students and stakeholders.

PCL's Updated progress report as of 7/1/23:

Following this timeline, as discussed in the attached addendum entitled, "Outstandings July" PCL continues to build capacity. PCL listed the job openings on craigslist and is now accepting applications. The job descriptions are attached.

PCL officially entered into escrow on 6/28/23 for the sale of its building on 660 Bonnie Brae Avenue. This will be a 45 day escrow in which it will enter into a 1031 exchange. As such, another property has been identified at REDACTED. PCL submitted an offer for this building and is awaiting acceptance of the offer. The sale will leave PCL with an excess of REDACTED to build out infrastructure and build capacity.

PCL'S Updated progress report as of 8/1/23:

We have promptly responded to the bar's request and have already initiated the interviewing process for the additional staff positions. This proactive approach will ensure a smooth transition and enable the team to be fully operational by the specified date.

PCL'S Updated progress report as of 9/1/23:

PCL continues to have two full-time staff members and two contractors who work in development and student bar prep respectively. Job descriptions for the two full time positions are attached.

At present, our faculty is composed of volunteers. For the upcoming academic school year PCL has hired nine licensed attorneys to teach the necessary classes. The overwhelming support for PCL has allowed us to fill faculty positions for the upcoming fall semester with volunteers. Moreover, we have staffed most of the classes for the winter and spring.

PCL's Updated progress report as of 10/1/23:

The State Bar has requested that PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards.

PCL has recently undergone a change as Dean Pomposo has taken an unexpected leave of absence. PCL's

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the Board of Directors in December, 2022. Dean Aramayo has a J.D. degree and is a licensed California Attorney with a background in management and education. As a result of her expeditious hiring, the Interim Dean has been able to compile the electronic documents requested by the State Bar, has produced the October 1st State Bar Progress Report, has ensured that all changes requested by the State Bar and previously reported to the State Bar are in fact in practice at PCL, and has conducted an FCC meeting in which pertinent academic issues were resolved.

Administrator Roger Aramayo continues to be a vital part of the school's administration. He is present at the PCL facility during all class times. Students utilize Administrator Aramayo to access their transcripts, class schedules, syllabi, and for other services as required for their academic endeavors. Administrator Aramayo is involved in producing materials as requested by the State Bar. His J.D. degree allows for intelligent analysis and judgment calls that are necessary to the effective administration of the school.

PCL's Board Members are deeply dedicated to the daily operations of the school. They are readily available to assist in any situation. Volunteer members make up the faculty and school committees, which keep PCL on a strict academic trajectory. They meet regularly to keep the school's operations and academics in line with the school's ideals, policies, and procedures. The school's faculty members are reliably present for the classes they conduct and are readily available to their students for additional academic counseling, and hold office hours by appointment.

PCL's Updated progress report as of 11/1/23:

PCL has continued to improve its administrative capacity by working to create transition plans and operational framework that will ensure that future transitions in leadership and staff will not lead to gaps or fluctuations in the school's ability adhere to regulations. PCL has had written job descriptions for the Dean and Administrator positions since at least April of 2023. (Exhibit A- Dean Job Description, Exhibit B- Administrator Job Description) PCL is also in the process of creating an Administration Manual to help guide day-to-day operations.

PCL's progress report as of 12/1/23:

PCL continues to strive to improve its administrative capacity. Doing the work required to meet probation deadlines has made it more challenging for PCL to continue to prove its operating capacity to the State Bar. Having a new interim dean, hired within the last 2 months, and a relatively new administrator, hired in March of 2023, makes the process of responding to the State Bar with accurate information more time-exhaustive than it would be for an individual with more institutional knowledge of PCL. However, both the interim dean and the administrator strive to meet the deadlines, with accurate and complete reporting at the forefront of their intentions, while also managing PCL's daily operations and providing services, guidance, and support to the faculty and students.

EXHIBIT A- DEAN JOB DESCRIPTION



People's College of Law

660 S. Bonnie Brae, L.A., CA 90057 Tel.:
213 483-0083 Fax: 213 483-2981
E-mail: administrator@peoplescollegeoflaw.edu

"Over 49 Years of Educating People's Lawyers"

The People's College of Law seeks an exceptional individual to become the dean of its School of Law. This is a full-time salaried position.

The next dean should be an innovative thinker and approachable leader who welcomes the opportunity to articulate a vision for the growth of the law school that builds on its 49-year history of preparing social justice lawyers.

The People's College of Law, PCL, was founded in 1974 as a non-profit 501(c)(3) under the corporate name *The Guild Law School*. The school exists to bring legal resources to under-represented communities by training legal advocates dedicated to securing progressive social change and justice in society.

Centrally located near downtown Los Angeles' PCL is close to, many nonprofits dedicated to under-represented people, and a community historically underrepresented by legal representation, and close to research universities, and state and federal courts.

PCL is a registered, unaccredited law school regulated by the State Bar of California. PCL is authorized by the State Bar to confer the Juris Doctor (J.D.) degree and to qualify graduates to take the California Bar Exam.

Scope of Work

Reporting to our Community Board of Directors and working closely with the school Administrator and Registrar, the Dean is the School of Law's chief academic and regulatory officer, with overall responsibility for its academic programs and compliance with State Bar regulations. However, major decisions for the school are made by the Community Board, or subject to its decisions.

The next dean will be presented with the opportunity not only to propel PCL to higher levels of prominence and distinction but also to advance the school's academic programs.

The Dean's leadership skills will be essential to taking on the following opportunities and challenges:

- Executing a comprehensive and proactive strategic plan for the School of Law that meets the challenges of a highly competitive market and aligns with the broader objectives of the College;
- Garnering additional private and public funding and other resources that will enable the School of Law to make continued advances in its programs and facilities and faculty;
- Enhancing PCL's strong sense of community among its principal constituents, including faculty, staff, students, alumni, and other schools;



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- Continuously improving student outcomes—including bar passage and job placement—;
- Advancing the law school's commitment to social justice, access to justice, and equality before the law.
- Maintaining compliance with State Bar regulations and requirements. Writing new and revised rules and policies for the school.
- Attending meetings of the State Bar and its committees.
- Communicating and meeting with deans of other law schools

The People's College of Law

The People's College of Law was officially founded in 1974, making it the oldest law School in the nation with a specific focus on social justice.

Faculty

PCLS's diverse, collegial, and highly accomplished faculty is currently, and has always been, all-volunteer.

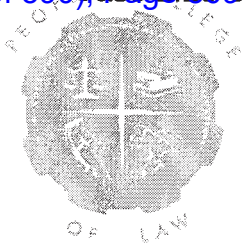
PCL alumni and faculty make law and policy as well as write about it. They are, and for many years have been active leaders in organizations engaged in the study and application of law, such as, the California Legislature, the Los Angeles City Council, the Los Angeles Superior Court, the Los Angeles County Federation of Labor, the UCLA Labor Center, the Legal Aid Foundation of Los Angeles, Neighborhood Legal Services of Los Angeles County, the Los Angeles County Public Defender, California Rural Legal Assistance, Council on Foundations (Washington D.C.), Community Lawyers (Compton), the National Lawyers Guild and ASOSAL (Central American immigration rights group).

Students & Alumni

The PCL student body currently consists of approximately 25 students, the large majority from non-traditional educational backgrounds. The quality and diversity of the student body are key components of the educational experience at PCL. The school is proud of the supportive environment it provides to all students, including women, minority students, older students, LGBTQ students, and students from nontraditional backgrounds.

A strong network of 120 alumni and strong relationships with the community of progressive attorneys in Los Angeles in beyond affords excellent career prospects for PCL's graduates in private practice, academia, business, government, and public interest.

Unique to PCL



People's College of Law

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Qualifications and Characteristics

PCL seeks a visionary dean with exceptional leadership credentials to meet the opportunities and challenges outlined above and to lead the law school into the future. The position requires an individual who can lead effectively and manage the school in the complex California law school regulatory environment.

Leadership

Demonstrated senior-level experience with responsibility for strategic management of programs and resources is strongly preferred.

The ideal candidate will also demonstrate:

- A commitment to innovation in legal education and a broad knowledge of the legal profession and emerging trends in the practice of law and social justice;
- Strong fundraising skills, including the ability to engage alumni, foundations, the legal community, and other donors in the school's mission;
- The ability to recognize and develop opportunities to enhance revenues from contracts, grants, non-J.D. programs, and other sources in light of the changing market for legal education;
- A commitment to fostering the PCL's core values of diversity and inclusion, at the school in the legal profession and in society at large; and
- Outstanding interpersonal skills, leadership skills, emotional intelligence, personal ethics, and professional integrity.

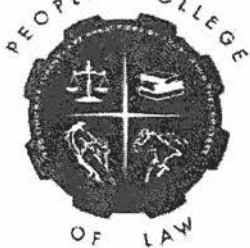
Applications, Nominations, and Inquiries

All correspondence, applications, and inquiries should be emailed to the Dean

Search Committee c/o Hector C. Pena via email at hpena@peoplescollegeoflaw.edu

Please include a letter of interest and a current CV. Candidate materials will be reviewed on an ongoing basis up to the application deadline. All correspondence will be held in strict confidence. The anticipated start date is as soon as possible.

The People's College of Law values equality of opportunity, human dignity, and diversity.



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Job Posting

Administrator/Registrar, Peoples College Law

The Administrator/Registrar of Peoples College of Law (PCL) is a full-time, salaried (exempt) position based in Los Angeles, CA. The Administrator/Registrar performs the bulk of the day-to-day work of PCL, and therefore is a key contributor to achieving PCL's mission to bring legal resources to under-represented communities by training legal advocates dedicated to securing progressive social change and justice in society. PCL is a small, nonprofit, fully licensed law school in Los Angeles, CA authorized to grant the Juris Doctor (J.D.) degree, which qualifies its graduates to take the California Bar Exam. Classes take place in the evening to accommodate working students.

The Administrator/Registrar reports to the PCL Board of Directors and the Officers of PCL (Chair, Vice-Chair, Secretary, Treasurer and Dean). The Administrator/Registrar customarily and regularly exercises discretion and independent judgment and works under general supervision of the President of the PCL Board of Directors, officers, including the Dean.

The position requires transparency, as well as consultation and collaboration with PCL's students, faculty, committees, alumni, Dean, Board of Directors, Officers, and other community members. The expected start date is as soon as possible.

Salary Range: \$60,080 to \$65,000 depending on experience and qualifications

Responsibilities include, but are not limited to:

- Carry out the day-to-day business and administrative affairs of PCL.
- Act as the primary contact person and representative of PCL via telephone, mail, and email.
- Be present at the school Monday through Friday from 12:30 p.m. to 8:30 p.m. from September through May and occasionally for a few hours on the weekends to assist with open house events (during the COVID-19 emergency, presence is by remote electronic means).
- Collect tuition and other fees and monies from students and manage corresponding records.
- Manage and update PCL's Student Information System (Populi).
- Manage and update student and faculty records and files in both paper and digital formats.
- Manage and maintain the school's finances and bookkeeping, including accounts payable and accounts receivable and assist with developing budgets; work with the bookkeeper, accountant, and Treasurer to achieve this.
- Attend PCL board meetings once per month on Sunday and be prepared to: present a financial report, an Administrator Report and other reports as needed.
- Become familiar with PCL's bylaws, policies, rules and handbooks.
- Be familiar with the laws and rules of the State Bar of California that govern the school; work with the Dean, Board of Directors, and Officers to maintain and improve PCL's compliance with applicable laws and rules.

- Work with the Dean and others on the inspections by the State Bar and the self-study reports required for them. The next inspection is in October 2023.
- Provide information to and support students, faculty, and other community members in accessing the school's resources and in complying with the school's community agreements.
- Manage and update the academic calendar, course schedule, student handbook, and other documents in collaboration with the Dean, PCL President, Board of Directors, and Officers.
- Maintain student attendance records and supervise student and faculty compliance with attendance record requirements.
- Respond in a timely manner to official requests for student records and transcripts while upholding the school's privacy policy.
- Support and assist PCL's committees in the areas of fundraising and development, admissions and recruitment, communications, and implementation of committee programs.
- Support and assist with the management of PCL's website, marketing efforts, and social media presence.
- Support and assist with establishing relationships with community organizations, unions, cooperatives, and like-minded organizations for the advancement of PCL and the surrounding communities.
- This position reports to both the PCL President and the Dean.

Qualifications

- Master in Higher Education or Master in Public Administration (suggested).
- Juris Doctor (J.D.) degree from (1) an American Bar Association-approved law school or (2) a law school accredited or registered by the Committee of Bar Examiners of the State Bar of California. (the Administrator need not be an attorney or Bar member).
- Three years experience as an administrator or executive director on behalf of organizations seeking progressive social, political, or legal change. One year prior experience working in an administrative capacity at a graduate level (or higher) educational institution; preferably as a registrar Three years experience as a community organizer or advocate for a progressive political agenda, and commitment to it, including support for civil liberties, workers' rights, and social justice.
- Ability to work cooperatively and courteously with our various constituents, including coworkers, volunteers, board directors, officers, and supervisors Ability to work under pressure and maintain professionalism under stress.
- Excellent organizational skills and attention to detail Strong written and verbal communication skills.
- Experience in strategic planning and management of programs Experience in public relations and social media management. Experienced with Software and Technology such as, Microsoft 365, Excel, Qualtrics, Gsuite, Docusign, Adobe Acrobat, Asana or other project management tools, social media management tools such as, MeetEdgar or Hootsuite, CRM, ie. Salesforce. Grant writing experience a plus. Program development and student/faculty/volunteer recruitment experience a plus. Spanish language proficiency a plus.

11. Guidelines 4.8 and 4.9 Bar's Inspection Report

"To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

PCL'S Progress Report

We use a standard evaluation form.

PCL's Updated progress report as of 3/1/23:

With the end of the winter quarter, the school will send out the winter faculty evaluations this week before the beginning of the next quarter. In order to consider a policy that requires students to submit faculty evaluation before they can register the following quarter, it must be submitted to the Board. This issue will be set for the April board meeting.

PCL'S Updated progress report as of 4/1/23:

The school continues to utilize a faculty evaluation policy that meets the guideline requirements.

PCL's Updated Progress Report as of 5/1/23:

The school continues to utilize a faculty evaluation policy that meets the guideline requirements.

PCL's Updated Progress Report as of 6/1/23:

The evaluation process for our instructors encompasses three components, each serving a specific purpose. Firstly, we gather feedback from the students, as attached to this report, to ensure their voices are heard and their experiences are taken into account. Secondly, instructors provide their own self-evaluations, which fosters self reflection and encourages continuous improvement. Lastly, an evaluation from the FCC (Faculty Compliance Committee) is included, along with my comments, underscoring the importance of accountability in implementing school standards and submitting grades punctually.

These evaluations are indicative of our law school's commitment to meaningful and timely reviews, as well as the establishment of clear faculty performance expectations. Through this process, we hold our instructors accountable for meeting grading calibration standards, providing valuable feedback on exams, and submitting grades within designated timelines. By emphasizing faculty accountability and aligning with school standards, we aim to cultivate an environment that nurtures academic excellence and student success.

PCL's Updated progress report as of 7/1/23:

The evaluation process for our instructors, as outlined in the previous report, remains unchanged. It consists of three components with distinct purposes.

First, we continue to gather feedback from students to ensure their perspectives are considered and valued.

Second, instructors provide self-evaluations, encouraging self-reflection and continuous improvement.

Lastly, we receive evaluations from the FCC, including my comments, emphasizing the importance of accountability and adherence to school standards.

These evaluations demonstrate our ongoing commitment to conducting meaningful and timely reviews, as well as establishing clear expectations for faculty performance.

To date PCL continues to collect the self-evaluation forms and has collected five so far. The final evaluation

The policy and procedure is complete. There has been no change. I have attached the Evaluation forms template in **Attachment E**

PCL'S Updated progress report as of 9/1/23:

PCL's Updated progress report as of 10/1/23:

PCL's policy is in practice as using faculty evaluation forms to assess faculty performance and identify eligibility to return for future academic terms. These evaluations serve the dual purpose of guiding our selection process and developing a professional development roadmap for our instructors. This evaluation approach, implemented by PCL, has enabled us to make informed decisions about faculty retention, resulting in a more refined teaching cohort.

Faculty members are also evaluated by their students at the end of each course on a form provided by the FCC. These forms are maintained by the Administrator, who submits copies to the FCC. Also, the FCC evaluates all faculty members during each course. FCC may enlist persons who are not on the FCC to perform evaluations, if they are faculty or former faculty of any law school, alumni of PCL, present or retired members of the judiciary, or practicing or retired attorneys.

In an FCC meeting held on September 29, 2023, standards for interviewing prospective faculty members were reviewed. A faculty interview panel was created for the 2023-2024 academic year, consisting of one current faculty member, the dean, and two students.

PCL's Updated progress report as of 11/1/23:

Faculty undergo a very thorough performance review policy at PCL.

Students are provided with a form by which to anonymously review faculty.

Instructors are reviewed by the Dean and/or FCC and provided with a performance evaluation. (EXHIBIT A- Faculty Evaluation Form)

Faculty is also asked to complete a self-evaluation. (EXHIBIT B - Faculty Self - Evaluation Form)

Evaluations are placed in files and emailed to instructors, as evidenced by the attached images.

(EXHIBIT C- Final Evaluation Form, EXHIBIT D - List of sent faculty evaluations)

Number of years of teaching experience: _____

☐	probationary/tenure track	☐	_____
☐		☐	_____
☐		☐	_____
☐		☐	_____

1. Workload :
Scheduled : Scholarly/Research : Activities

2. Directions: Use the following five categories to describe the faculty member's performance relative to the expectations and goals (i.e., Position job Description). A thorough narrative commentary must be provided to justify each selection. Mere selection of a category does not constitute evaluation and will not be accepted.

Exceptional Performance _____ and exceptional _____ excellent student reviews, community service to the school). Supporting evidence must be presented in the narrative.
_____ and frequently _____ their

Meets _____ of high quality, fulfills expectations, and periodically may exceed them as described in his/her position description.

Requires Development _____ does not consistently meet expectations and _____ and include goals to get there.

Unsatisfactory _____ work is below the basic requirements of the job description and improvement is required,

SCHEDULED				
☐ Exceptional Performance	☐ Exceeds Expectations	☐ Meets Expectations	☐ Requires Development	☐ Unsatisfactory

EXHIBIT B - FACULTY SELF - EVALUATION FORM



PEOPLES COLLEGE OF LAW

Faculty Self-Evaluation Form

Instructions for Administrative Faculty Self-Evaluation

Administrative faculty at PCL are evaluated once a year (in the month of June) on their job performance during the prior academic year (i.e., September 1 through May 31). The evaluation process starts with the administrative faculty member completing a self-evaluation using this form or alternate method determined by the supervisor. The self-evaluation typically addresses the employee's fulfillment of job responsibilities outlined in the faculty job description and of specific work goals set at the time of the prior annual evaluation. The deadline for the submission of the self-evaluation is set by the supervisor.

Questions regarding this form or the administrative faculty annual evaluation process should be directed to the administrator or to the dean via email: dean@peoplescollegeoflaw.edu.

Employee Information

Robert D
First Name: _____
Skeels
Last Name: _____
Adjunct Instructor
Current Title: _____
N/A
Department/Unit: _____
Faculty and Curriculum Committee
Supervisor Name: _____
September 5, 2023
Evaluation Period Start Date: _____
May 20, 2023
Evaluation Period End Date: _____

Essential Functions from Your faculty job description

Discuss your performance of the essential functions of your position.

This was my fifth year teaching this subject and my second full year teaching using remote instruction technology. I've been able to further utilize experiences from actual practice of law in my instruction, and have further refined lesson plans and slides for remote classes.

EXHIBIT C: Image of an email sent to an Instructor with a faculty evaluation attached.

Edith Pomposo <dean@peoplescollegeoflaw.edu>

Tue, Sep 12, 4:18 PM

to PCL

Dear Professor Laura,

I've attached the Final Faculty Evaluation Form for 2022-2023, for your records.

Best regards

Edith

One attachment • Scanned by Gmail

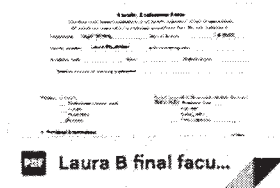


EXHIBIT D- Image of a list of faculty evaluations that were sent on September 12,2023.

PDF	Joshua Gillins fi...	
Final Evaluation Form- for your records - Dear Professor Contreras, I've ...		Sep 12
PDF	Christian Contr...	
Final Evaluation Form- for your records - Dear Professor Duane, I've att...		Sep 12
PDF	John Duane fin...	
Final Evaluation Form- for your records - Dear Professor Moran, I've att...		Sep 12
PDF	Default Report ...	
PDF	JCM final facult...	
Final Evaluation Form- for your records - Dear Professor Skeels, I've att...		Sep 12
PDF	Robert D skeels...	
Final Evaluation Form- for your records - Dear Professor Blue, I've attac...		Sep 12
PDF	Michael Blue Fi...	
Inbox	Final Evaluation Form- for your records - Dear Professor Francis ,...	Sep 12
PDF	Taylor Francis F...	
Final Evaluation Form- for your records - Dear Professor Madrigal, I've a...		Sep 12
PDF	Magda Madriga...	

PCL's progress report as of 12/1/23:

The Faculty and Curriculum Committee (FCC) continues to be involved in the interviewing, hiring, and review process of faculty. The FCC also provides continuing education and training to the faculty.

Most recently, the FCC assembled a panel to interview, and has been interviewing, new instructors for the upcoming quarters.

Members of the FCC reviewed all final exams prior to the administration of exams at the end of the Fall 2023 Quarter.

Throughout the year, the FCC provides faculty with periodic training and education opportunities, with a training on exam creation and grading taking place this winter quarter.

12. Guidelines 5.3(A)(1) and 5.9

Bar's Inspection Report

“To bring itself into full compliance, the school should adopt, implement, and publish standard policies

PCL’S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. Our instructors have been the ones to take attendance, and then report it to the Registrar/Administrator, who enters it in Populi.

PCL’s updated Items of non-compliance 3/1/23:

The same policy is in place this month.

PCL’S Updated progress report as of 4/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 5/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 6/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 7/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 8/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 9/1/23:

There has been no change and the same policy is in place.

PCL’s Updated Progress Report as of 10/1/23:

This Rule makes several requests of PCL which have been delineated as follows:

1. Require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms;
2. Provide for accurate and timely maintenance of records;
3. Eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

PCL’s has addressed the above 3 points as described below:

Require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term

PCL’s Student Handbook, which is displayed on the website, states that all students must comply by the State Bar’s 80% Attendance Rule. The following is posted on the website and published in student materials and continues to be the practice at PCL:

attendance of not less than eighty (80) percent of the regularly scheduled class hours in each course." For a course that extends over more than one quarter, for example, two quarters, this Guideline means that the student must attend 80% of the regularly scheduled class hours in each quarter of the course (The Guideline does not mean that the student must attend 80% of the total combined regularly scheduled class time of the two quarters.)"

Provide for accurate and timely maintenance of records

PCL's current practice requires the Administrator to input all syllabi, course materials, exam grades, and course grades in a timely manner using the Populi system.

Eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities.

The former policy of allowing students to make up absences with alternative activities is no longer permitted. The PCL Student Handbook prominently reflects this change in bolded font on page 26 of the Student Handbook:

"Under no circumstances may PCL offer students the opportunity to make up absences from regularly scheduled class hours with alternative activities."

PCL's Updated Progress Report as of 11/1/23:

There are no further updates at this time, as our practices continue to align with our policies and procedures.

PCL's Progress Report as of 12/1/23:

Students at PCL may be academically disqualified for failing to comply with PCL's 80 percent attendance rule. Currently, students may file a petition to appeal disqualification due to failure to adhere to the 80 percent attendance rule. With proper documentation and the student's demonstration of good cause and special circumstances, the FCC may approve the student's petition. If the student's petition is approved, the student is promptly informed of the decision and of the deadline for completion of additional classes to make up the class time missed. PCL has a policy, stated on Page 26 of the Student Handbook that states *"under no circumstance may PCL offer students the opportunity to make up absences from regularly scheduled class hours with alternative activities."*

In the October 2023 Inspection Report, State Bar staff states that "implementation of the improved (attendance) policy does not fully satisfy Guideline 5.3(A)(1) because students who miss more than 20 percent of classes are given the opportunity to appeal the decision and take make-up classes; the Guideline requires attendance of not less than 80 percent of "regularly scheduled class hours" in each course.

PCL has been of the belief that its attendance policy, requiring attendance at 80 percent or more of all class offerings, was in full compliance with Bar rules and expectations. PCL was not aware that the State Bar's interpretation of the term "regularly scheduled class hour" in Guideline 5.3 (A)(1) meant that a student, who could demonstrate good cause and a showing of special circumstances for having missed more than the permitted amount, could not make up the missed class with another scheduled class of the same length in time of that which the student missed.

Accordingly, a new policy will be prepared and presented to the PCL Community Board for a vote in order to

PCL objects to this rule, as it is currently written, however. PCL is of the opinion that students with special circumstances who can show good cause for having missed a class, should be able to be given an opportunity complete the class time that they missed. The State Bar requires that a student complete a minimum of 270 hours per year. At a school like PCL, where exactly 270 hours of classes per year are offered, if a student does not get credit for one course, they are subsequently required to repeat the entire year's courses. This seems wholly unfair to a student who might have a genuine and unavoidable reason for missing, for example, three classes in a quarter, as opposed to two classes.

Nonetheless, PCL strives to be in compliance with all the Rules and Guidelines, and will change its policy as necessary.

13. Guideline 5.8

Bar's Inspection Report

"To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. ***Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.***"

PCL'S Progress Report

As noted in the Inspection Report, some months ago we adopted the required policy. Below is an instructional message sent to the students which explains how to fill out timesheets.

From: Ira Spiro

Sent: Monday, June 29, 2020 6:49 PM

[names of recipients omitted from this report]

Subject: TIMESHEETS for CLINICAL CLASSES - MUST BE FILLED OUT BY STUDENTS TO GET CREDIT

Importance: High

Dear PCL SUMMER Students

Because of State Bar requirements, **you have to fill out timesheets in order to get credit for our clinical courses.** A form timesheet is attached, an Excel spreadsheet. It's very easy to use. I filled them out every day, all through the day,

when I was practicing law. Here's what to do:

Download the attachment to your computer.

Type your name and the course name at the top.

If you're taking both clinical courses, you'll have to have two separate timesheets, so save it twice, each with a different name for use by your computer. **Fill them out every day when you're done with work for the day.** Way too hard to wait, say, a week, and try to remember your time at the end of the week. This is very good practice for when you become a lawyer, because most all lawyers have to fill out timesheets
"Date" column: When you start typing the date, e.g. 6/29, the year gets filled in automatically.
"Hours" column: You can round to the nearest quarter hour, for example .45, 1.75, 2.25. (But when you practice law, you should round to nearest tenth.)

"Task" column: What you fill in can be very short. For example, "attend Zoom" or "draft letter" or "draft memorandum" or "phone call to prof". You can use abbreviations if you're sure you'll remember what they stand for. For example TC for telephone call, dft for draft, memo is fine for memorandum.

Email them to me every Friday when you're done with your work that day. State Bar requires someone on faculty to monitor the students, and it's going to be me. If you have any questions about this, give me a call (REDACTED), or send me an email. Remember, my phone doesn't receive texts.

PCL's updated Items of non-compliance 3/1/23:

PCL continues its practice as listed above in PCL's response.

PCL'S Updated progress report as of 4/1/23:

PCL continues its practice as listed above in PCL's response.

PCL's Updated progress report as of 5/1/23:

PCL-SER-00518

1. PCL's clinical courses will award credit commensurate with the time and effort expended by, and the educational benefits to, the participating student.
2. The studies or activities must be approved in advance by the Dean or the FCC.
3. A member of the faculty or the dean must supervise and periodically review each student's participation to ensure that the educational objectives are achieved.
4. The amount of credit may not exceed forty (40) percent of the hourly requirement for any year or more than ten (10) percent of the total hours required for graduation;
5. PCL must maintain an appropriate record for each student. At PCL, this is done by keeping a timesheet that is regularly submitted to the Dean or Faculty Advisor. The timesheet must be retained in each student's file.

Clinical Program or Externship Record Requirement

The law school must maintain a record for each student participating in the any of the above-mentioned activities. The record must include at least

- the educational objectives,
- the number of hours spent by the student participating in the activity,
- the amount of academic credit authorized,
- the name of the faculty member who conducted or reviewed the activity,
- the name, address, telephone number, and qualifications of each person not on the faculty who directly supervised the student participating in the activity, and
- the methods used to evaluate student performance, and

all other records as necessary to keep record of the criteria mentioned in point 1-5 above.

Enrollment a Clinical Program or Externship

Periodically, PCL will offer clinical courses or externships as part of its curriculum. These courses generally take place during a summer quarter, but may take place during other periods of time. The criteria for enrollment in these courses will be made available to students at that time. If a student seeks placement in a clinical program or externship that is not offered by PCL as part of its curriculum, that student must submit in writing, to the Dean or FCC, their request to receive academic credit for the program. The written submission must be received as soon as practicable, but no later than 4 weeks before the beginning of a quarter if the student intends to replace classroom study hours with clinical hours. The written request should clearly demonstrate that the placement meets all of the above-mentioned required criteria. The student will only be able to receive academic credit from PCL upon the Dean or FCC's written approval of the student's participation in the program.

14. Guidelines 5.17, 5.18, and 5.25

Bar's Inspection Report

"To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the school began addressing this issue and it continues to discuss further options with priority.*"

In addition, recently the Dean formulated a policy to require that students receive adequate and substantial feedback on their exam performance. It was furnished to State Bar staff. Adoption of a policy on this subject is scheduled to be considered at the next meeting of our board of directors.

Policies to Eliminate Grade Inflation

The Inspection Report, on page 15, referring to the 2014 inspection, states: "To address grade inflation, PCL adjusted its grading scale and urged instructors not to inflate grades. PCL did not, however, adopt other policies to control inflation, such as administrative review of grades prior to their release, or reasonable limits on the extent to which grades may be based on class participation, including attendance. As concluded in 2014, a sound grading program would limit participation points to no more than three [of 100], and the award of points based on attendance is "clearly inappropriate" in light of Guideline 5.3(A)(1) minimum attendance requirement. PCL's policy allows up to thirty percent of a course grade to be based on participation."

In the summer of 2020 we did adopt the policies recommended in that paragraph. They are now in the Student Handbook & Catalog and the Faculty Handbook, as follows:

Grading Standards:

It is of primary importance for PCL students and all of PCL that the students have a realistic picture of a realistic picture of their outlook for passing First Year Law Students Exam (FYLSX) and Bar Exam. The pass rates for both exams have been very low. For example, the pass rate for the July 2019 Bar Exam was 14.4% for California Unaccredited law schools and 18.8% for California-Accredited (non-ABA) law schools.

On the FYLSX of June 2019, the pass rate was 23.5% for all takers and 28.1% for California Unaccredited Fixed-Facility law schools (PCL is in that category). Students' ideas about their chances on these exams are very likely influenced by their law school grades. If a student receives high grades, that is likely to raise the student's expectations of passing the FYLSX and the Bar Exam, but because of the low pass rates on the exams, the heightened expectations could well be unrealistic. In light of these and similar considerations, PCL has adopted these Grading Standards for all examinations and final grades (grades for the full quarter) in all courses that are not graded pass-fail. NOTE that in the grouping of grades in the table below, C- grades are grouped with the D grades. That is because at PCL, in order for a student to advance to the next academic year and graduate, the student must have a grade point average of C or better.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range should be under 10% of the grades, occasionally as much as 10%
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89 (B+ , B and B-)	Grades in this range should be only for excellent work, not merely good work. On an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range should be under 20% of the grades, occasionally as much as 20%.
73 – 79 (C+ and C)	Grades in this range should comprise by far the largest share of the grades, often higher than 50%. But these grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 – 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range will often comprise 15% to 20% of the grades, sometimes higher than 20%.
59 and below (F)	Failing. Unfortunately, there will often be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple-choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

... class participation must not count for more than three percent (3%) of the final grade in a course, and attendance may not be counted at all towards the grade, inasmuch as minimum 80% attendance is required.

Administrative Review of Grades

In August, 2020, our Board adopted the following Administrative Review policy: When faculty members have determined what grades they intend to give, the next step would not be to release the grades to the students, but instead to send the grades to reviewers. The reviewers very likely would include the Dean. Others could be members of the Faculty- Curriculum Committee and current or former faculty members, but faculty would not, of course, review their own grades, and students would not participate without consent of the student being reviewed.

The reviewers would study the grades for adherence to PCL grading policies. ... If the grade reviewers find deficiencies, they would communicate with the faculty member about curing the deficiencies and changing the grades. The Dean or the Faculty Curriculum Committee or both would participate in those discussions and decisions on changing grades. When the decisions are made, the grades would then be sent to the Administrator for release to students.

Improvements in Eliminating Faculty Turnover

The 2014 Inspection Report observed (p. 9):

“PCL operates with an all-volunteer, adjunct faculty and has someone so since its founding [it remains true in 2020]; a clear testament to the faculty’s dedication to PCL’s mission of public service. One negative aspect of a volunteer faculty, however, is that PCL experiences a higher rate of faculty turnover than most law schools

That turnover situation has been reversed. In the last academic year, 2020-2021, all faculty members except three taught at PCL the previous year, 2019-2020. Faculty turnover in the current 2021-2022 Academic Year had been on the decline previously as well.

PCL's updated Items of non-compliance 3/1/23:

The policy remains the same.

PCL'S Updated progress report as of 4/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 5/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 6/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 7/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 8/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 9/1/23:

The policy remains the same.

PCL's Updated Progress Report as of 10/1/23:

The policies as stated above appear to be in practice at PCL as of October 1, 2023. They are clearly stated in the Student Handbook as stated in great detail in past Progress Reports.

PCL's Updated Progress Report as of 11/1/23:

There have been no changes.

PCL's Progress Report as of 12/1/23:

PCL maintains the same Administrative Grade Review Policy, adopted in 2021, which is on page 70 of the Student Handbook. This Administrative Review of grades includes reviews of exams and their corresponding rubrics, issue outlines, or model answers before the exam is administered to the students. The policy also includes procedures for reviewing grades for grade inflation and provides an opportunity for faculty to change their grades if grade inflation before the grades are made available to students.

15. Guidelines 5.18–5.20

Bar’s Inspection Report

“To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school’s academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were updated, and non-compliant policies deleted.*”

PCL’S Progress Report

The problem was some inappropriate policies. PCL has eliminated them, so by the very nature of this item 15 no further progress is needed or possible.

PCL’s updated Items of non-compliance 3/1/23:

PCL’s revised policies have remained in effect to the present.

PCL’S Updated progress report as of 4/1/23:

PCL’s revised policies have remained in effect to the present.

PCL’s Updated Progress report as of 5/1/23:

PCL’s revised policies have remained in effect.

PCL’s Updated Progress report as of 6/1/23:

PCL’s revised policies have remained in effect.

PCL’s Updated Progress report as of 7/1/23:

PCL’s revised policies have remained in effect.

PCL’s Updated Progress Report as of 8/1/23:

PCL’s revised policies have remained in effect.

PCL’s Updated Progress Report as of 9/1/23:

PCL’s policies have remained in effect.

PCL’s Updated Progress Report as of 10/1/23:

The State Bar requests that PCL implement policies for academic advancement that adhere to the school’s academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guideline: As the former policies have since been deleted, changed, and are no longer published or in practice, it is the Interim Dean’s assessment that the revised policies have remained in effect.

PCL’s current policies and practices provide for academic advancement in a way that complies with the guidelines. 1L students have a strict schedule that provides them with diligent instruction of 1L courses. These courses prepare them for legal reading and writing, which are often brand new skills, akin to learning a foreign language. PCL provides instruction in Torts, Contracts, and Criminal Law, which ensures students have built solid foundation in the subject and are not being exposed to these topics for the first time during the 1L year.

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Case 2:23-cv-01248-JES Document 102-1 Filed 11/21/23 Page 11 of 11
courses and opportunities better prepare them as successful practitioners of law upon graduation. Such clinical courses and externships were added after feedback from former alumni regarding feeling a lack of confidence as they entered the legal profession. In this way, PCL is not only achieving the goal of providing academic advancement, but staying true to its mission, and each student's personal mission, of becoming confident, practicing lawyers.

PCL's Updated Progress Report as of 11/1/23:

There are no additional updates at this time.

PCL's Progress Report as of 12/1/23:

There are no additional updates at this time.

16. Guideline 5.24

Bar's Inspection Report

“To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

PCL'S Progress Report

As the Inspection Report notes, some months ago we adopted the required policy. The policy concerns limitations on repeating courses. As stated above, last fall a student had petitioned for permission to attempt to raise a failing grade. In order to raise the grade, the student had to take a new exam or complete some other assignment to be determined by the instructor and the Faculty-Curriculum Committee working together. It is possible for students to choose instead to convert the petition to one for repetition of the course pursuant to the new policy.

PCL's updated Items of non-compliance 3/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL'S Updated progress report as of 4/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL's Updated Progress Report as of 5/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL's Updated Progress Report as of 6/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL's Updated Progress Report as of 7/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL's Updated Progress Report as of 8/1/23:

PCL has continually maintained the policy as stated in the previous months.

PCL's Updated Progress Report as of 9/1/23:

As of the present date, no students have utilized the aforementioned course repetition policy, which reads:

Section 11. Repeating Courses and Quarters: No Duplicate Credit: Duplicate credit will not be given for repeating the same or substantially the same course or quarter, whether the courses or quarters are both taken at PCL or at another school, or partly at PCL and partly at another school.

Repeating a Course or Quarter after Failing and Thus Not Completing 270 Hours: If (1) a student fails a course or a quarter of a course, and if (2) as a result of the failure the student does not successfully complete 270 hours in an academic year, then the following applies. Because the State Bar requires that the required 270 hours per year must all be taken in the same 12 month academic year, the student, in order

17. Guideline 6.2–6.4

Bar's Inspection Report

“To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. ***Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.***”

PCL'S Progress Report

PCL has devised the requested plan regarding the library. It was set out in our 2020 Annual Report. It reads as follows:

PLAN TO RETURN TO COMPLIANCE: The brother of PCL founder, attorney Hank di Suvero, who died this year, had offered to donate funds for the library. Our plan is to use the money to restore the library to usable condition and purchase the books needed to bring the required hardbound books up to date, all to be completed by August 31, 2022. Our Board of Directors approved this plan on October 18, 2020.

The damage to the library was the destruction of part of its unique domed roof. The roof has now been repaired, which involved reconstruction of part of the domed roof. However, we recently discovered that there is further damage to the roof. At their last monthly meeting, in November 2021, the board approved another bid for another roof repair. Since our school still is conducting classes remotely, and has been since March of 2020, no students have been on campus to use the library. Thus, the library has not been opened for use. Some clean-up of the library is still needed before it opens for use. The donation was only enough for the repair and reconstruction, not for the purchase of books. We do have the very large majority of the specified hardbound books, but not all of them or our book subscriptions. Currently our plan is to request an extension of time to comply with the hardbound library provisions, to August 2022, the same time to which the waiver of the requirement for in-person instruction was extended by the Committee of Bar Examiners.

We do still believe that the hardbound library requirement, which does not apply to other categories of California law schools, should not be applied to our category, as we have explained previously. Further, given the ongoing SARS-Cov-2 Pandemic, we believe we should further assess whether we should restore the library, given that students have been using the Los Angeles County Law Library, whenever they've needed access to hard copy law books.

PCL's updated Items of non-compliance 3/1/23:

PCL has continually maintained the policy as stated in the previous months. **PCL'S Updated**

progress report as of 4/1/23:

PCL is going to start working on an estimate to determine the cost of purchasing the library books needed to come into compliance.

PCL's updated progress report as of 5/1/23:

PCL would like the required materials and books that are necessary in the law library to meet compliance so it can begin pricing the cost of coming into compliance.

PCL-SER-00528

1. July 1-15: Library Needs Assessment and Planning

- Conduct a thorough needs assessment to determine the required resources, including hard copy materials, for our law school's library.
- Develop a plan for acquiring and maintaining the necessary hard copy library materials, considering budgetary constraints and future growth.

2. July 16-31: Library Material Acquisition and Organization

- Initiate the process of purchasing the identified hard copy library materials based on the assessed needs.
- Ensure that the acquired materials align with the curriculum design and cover relevant legal research topics.
- Organize and catalog the acquired materials within the library, creating a comprehensive and accessible resource for students and faculty.

3. August 1-15: Integration into Curriculum Design

- Collaborate with the curriculum committee and faculty members to integrate the utilization of both hard copy and electronic research resources into the curriculum.
- Design specific modules and assignments that promote the use of hard copy library materials for legal research.
- Ensure that students receive appropriate training and guidance on utilizing both hard copy and electronic resources effectively.

4. August 16-31: Finalization and Proof of Compliance

- Conduct a final review of the library setup, including hard copy materials and curriculum design, to ensure alignment with the Bar's requirements.
- Gather proof of library purchase, including receipts and documentation of the acquired materials.
- Prepare and submit the required timeline, along with the proof of library purchase and curriculum design, to the CBE to demonstrate our commitment to compliance.

By following this timeline, we aim to establish a well-rounded law library that includes both hard copy and electronic research resources. This approach will not only bring us into compliance with Guideline 6.2 but also enhance the educational experience for our students, providing them with comprehensive resources and training in legal research. Our goal is to have all these initiatives finalized early, ensuring a smooth transition.

PCL's updated progress report as of 7/1/23:

As mentioned before, our plan includes conducting a thorough needs assessment, acquiring and organizing the necessary hard copy materials, integrating them into the curriculum design, and finalizing compliance proof. These steps align with our commitment to establishing a well-rounded law library that incorporates both hard copy and electronic research resources.

With the sale of the building, we will have the necessary funds available to proceed with the library's purchase. This development will reinforce our financial capability to acquire the required resources, including the identified hard copy materials, without compromising our budgetary constraints.

By implementing this timeline and utilizing the newly available funds, we aim to create a comprehensive and accessible resource for our students and faculty while complying with Guideline 6.2. We believe that the integration of hard copy and electronic research resources will enhance the educational experience and provide our students with valuable training in legal research.

PCL's updated progress report as of 8/1/23:

I am pleased to share that we have successfully secured a REDACTED loan from PCL to support our organization's growth and expansion. This funding comes at a crucial time as we embark on the journey to build our capacity and find a new suitable building for our operations. With this financial boost, we can now invest in essential resources, equipment, and training to enhance our capabilities.

With the allocated funds available, we are moving forward with purchasing the required books for the library. These include the published reports of California Courts with advance sheets and citator, a digest or encyclopedia of California law, an annotated set of California codes, and current, standard texts or treatises for each course in the law school's curriculum. By obtaining these materials, we aim to enhance the educational experience and provide valuable training in legal research, aligning with Guideline 6.2 for a well-rounded law library that incorporates both hard copy and electronic research resources. **Attachment F** contains receipts of library purchases.

We are on time with our deadline of updating the curriculum to meet legal research standards.

We have engaged in a 5-year contractual agreement with Thomson Reuters. For your reference, the contract is attached as **Attachment C**. As part of this agreement, we will be receiving several bundles of books, which include:

1. West's® Annotated California Codes (Annotated Statute & Code Series)
2. West's® California Reporter®, 3d
3. California Reporter Advance Sheets
4. West's® California Digest, 2d (1950 to Date) (Key Number Digest®)

PCL's Updated Progress Report as of 9/1/23:

The books we ordered for the library have now arrived. Students will be required to submit a legal research assignment each semester utilizing both the online and hard copy of the legal research tools. Students also continue to use caseText, which is a free legal research tool.

The State Bar's request is delineated as follows:

1. ***Return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE;***
2. ***PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3.*** The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.

In regards to the above, PCL's current policies and practices are as follows:

Return to compliance regarding the library

PCL has purchased the required library texts. These books are being housed at PCL's fixed facility and the students have regular access to the books as needed. PCL's Board President amended the lease agreement with the tenant downstairs from PCL to ensure that PCL students have the necessary access to the library.

PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research

Upon further assessment, we agree with the State Bar's point that PCL's handbook states that legal research is taught in several courses but that this is not reflected in actual instruction. PCL appears to occasionally offer a Legal Research class but it doesn't appear to have been offered in some time and has thus been removed from the Course Catalog to remain in compliance with Bar standards.

PCL will remedy this discrepancy by:

1. Removing the inconsistent language from the Course Catalog. The language currently states:
LEGAL WRITING, ANALYSIS AND RESEARCH
Several courses throughout the four years of instruction. provides practice in issue spotting, legal analysis and legal research, test-taking skills and study techniques, with special emphasis on the First Year Law Students Exam and the Bar Exam.

This will be updated to the following:

LEGAL WRITING AND ANALYSIS

Several courses throughout the four years of instruction. provides practice in issue spotting, legal analysis, test-taking skills and study techniques, with special emphasis on the First Year Law Students Exam and the Bar Exam.

2. To remain in compliance with Guideline 6.3, a dedicated Legal Research Class will be added to the curriculum in either Winter or Spring of 2024. This class will offer instruction in both physical and electronic-based research. This item will be addressed at the next FCC meeting, tentatively scheduled for November of 2023.

PCL's Updated Progress Report as of 11/1/23:

1. ***Return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE;***

There have been no changes.

Attached are images of PCL's invoice from Thomson Reuters.

 THOMSON REUTERS	Order Form #: 5983 Order ID: [REDACTED]
	Contact your representative [REDACTED] with any questions. Thank you.

EXHIBIT 201A pg174 of 192

Sold To Account Address Account # [REDACTED] PEOPLES COLLEGE OF LAW DTP 660 S BONNIE BRAE ST 2ND FL LOS ANGELES CA 90057-3710 US "Customer"	Shipping Address Account # [REDACTED] PEOPLES COLLEGE OF LAW DTP 660 S BONNIE BRAE ST 2ND FL LOS ANGELES CA 90057-3710 US	Billing Address Account # [REDACTED] PEOPLES COLLEGE OF LAW DTP 660 S BONNIE BRAE ST 2ND FL LOS ANGELES, CA 90057-3710 US
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This Order Form is a legal document between Customer and

- A. West Publishing Corporation to the extent that products or services will be provided by West Publishing Corporation, and/or
- B. Thomson Reuters Enterprise Centre GmbH to the extent that products or services will be provided by Thomson Reuters Enterprise Centre GmbH.

A detailed list of products and services that are provided by Thomson Reuters Enterprise Centre GmbH and current applicable IRS Certification forms are available at: <https://www.tr.com/trorderinginfo>

West Publishing Corporation may also act as an agent on behalf of Thomson Reuters Enterprise Centre GmbH solely with respect to billing and collecting payment from Customer. Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation will be referred to as "Thomson Reuters", "we" or "our," in each case with respect to the products and services it is providing, and Customer will be referred to as "you", or "your" or "Client".

A detailed list of products and services that are provided by Thomson Reuters Enterprise Centre GmbH and current applicable IRS Certification forms are available at: <https://www.tr.com/trorderinginfo>

West Publishing Corporation may also act as an agent on behalf of Thomson Reuters Enterprise Centre GmbH solely with respect to billing and collecting payment from Customer. Thomson Reuters Enterprise Centre GmbH and West Publishing Corporation will be referred to as "Thomson Reuters", "we" or "our," in each case with respect to the products and services it is providing, and Customer will be referred to as "you", or "your" or "Client".

West Complete Products See Attachment for Details			
Material #	Product Name	Charges	Minimum Term (Months)
[REDACTED]	West Complete Library Subscription	[REDACTED]	60

West Complete Term

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2. PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3.

The Interim Dean has reviewed the issue regarding legal research and can confirm, based on transcript review and personal interviews of all upper division students, that all current students, apart from PCL's 1L, have received a legal research class.

Legal research has been re-added as a required component for future 1L Legal Writing classes and future syllabi are required to reflect as such. Students also have access to casetext, a digital legal research tool.

PCL-SER-00532

There are no further updates regarding the library or legal research classes at this time.

18. Guidelines 7.1 and 7.2

Bar's Inspection Report

“To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students.

Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options. Also, the only person who has keys to the records room is the Administrator. No even the janitor has keys to that room, where the fire-safe cabinets are.

PCL'S Progress Report

PCL purchased four matching, locking, letter-size FireKing fireproof file cabinets. We took delivery of them at our building and locked our paper files in them.

PCL's updated Items of non-compliance 3/1/23:

The school continues to maintain its security procedures as described above. **PCL's updated**

Items of non-compliance 4/1/23:

The school continues to maintain its security procedures as in previous months. **PCL's updated**

progress report as of 5/1/23:

The school continues to maintain its security procedures as in previous months. **PCL's updated**

progress report as of 6/1/23:

The school continues to maintain its security procedures as in previous months. **PCL's updated**

progress report as of 7/1/23:

The school continues to maintain its security procedures as in previous months. **PCL's updated**

progress report as of 8/1/23:

The school continues to maintain its security procedures as in previous months.

PCL's updated progress report as of 9/1/23:

There have not been any further changes and PCL continues to adhere to safekeeping of records. PCL has some files stored in fire-proof filing cabinets on the school premises, which are located in the main hallway on the second floor of the school. The fire-proof filing cabinets are in a closet and the key is only in the possession of administration.

PCL's updated progress report as of 10/1/23:

There have not been any further changes and PCL continues to adhere to safekeeping of records in fire-safe cabinets.

PCL-SER-00534

There are no changes to report. PCL continues to adhere to safekeeping of records in fire-safe cabinets.

19. Guideline 9.1

Bar's Inspection Report

"To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*"

PCL'S Progress Report

Last year, our Registrar/Administrator reported as follows to the Bar and the Committee: **New Student**

Information System

To streamline and organize student records, faculty records, and other required organizational documentation Peoples College of Law has fully transitioned to Populi, a web-based Student Information System (SIS) to electronically maintain and store school records in a secure and confidential environment.]

Our system manages and stores student transcripts, student attendance (for online and in-class instruction) & participation records, academic programs & courses, course mapping for students and course rosters as well as provides reporting analytics to give perspectives on student data through particular data sets. The SIS also tracks a prospective student's application process and generates applicant reports for accepted and rejected applications. Once a student is enrolled, student agreements, billing (including invoices, payments, transactions, deposits, and tax forms) are also stored electronically. Faculty, the Administrator, and Registrar currently have detailed information on students' grades and attendance in courses, with student course summaries and reports.

Our SIS system also has group sections that will accommodate our committees and store committee documents including minutes & agendas.

In addition to the SIS, the administrator maintains hardcopy files for students, administrative personnel, and faculty in fireproof, securely locked file cabinets.

PCL Files and Records

In preparation for the 2020 State Bar of California inspection, the administrator completed a thorough assessment of the school's files and records that fall under Rule 9.1 in the Guidelines for Unaccredited Law School Rules. Much of the reason that the school's records and files were out of compliance at that time was because there has not been a systematic uniform process set for each administrator who has worked at the school over the past several years. Files and records that were not compliant post inspection, the prior administrator continued to reconcile the deficiencies to complete the records.

There are only a few remaining noncompliant files under the Unaccredited Law School Rules Division 9.1 requirements are: faculty files, administrative personnel, and the file of all examinations given in the last (5) years.

Faculty Files: To prevent noncompliance within the faculty records, our Faculty & Curriculum Committee are developing policy to request transcripts prior to hiring interviews or requiring them during new faculty onboarding.

Administrative Personnel Files: Several administrative personnel files are missing all or part of the required personal histories giving undergraduate education, graduate education, and law school education (if any) listing years attended, degrees conferred and summaries of professional careers and qualifications for being administrative personnel. The administrator is currently going through archived materials for older

PCL-SER-00536

Record Retention and Disposal Policy:

New Policy on Changes to Entries in Transcripts

Changes to entries on a PCL transcript may be made only upon a showing of good cause. However, a contention or possibility that a grade given by an instructor was not justified shall not be good cause or an acceptable reason for a transcript change. If a present or former student wishes a change to an entry on the person's transcript, the following procedures apply

1. The present or former student must submit a written application to the Dean, specifying the change requested and the reasons for it. The application must include any documentation or evidence supporting the application.
2. The Dean must investigate the facts and circumstances pertinent to the application. In doing so, the Dean must read the entire application and materials submitted with it. The applicant shall have the right to speak with the Dean in support of the application, and to have an attorney or other representative do so as well. If the applicant requests the Dean to listen to any other person with information pertinent to the application, the Dean shall do so, but the Dean need not listen to an excessive number of such persons. The Dean may also communicate any person who may have information pertinent to the application, including but not limited to any present or former faculty member. The Dean may also speak with the Registrar, the Administrator and any other person with information pertinent to the application. The Dean may also consult any person outside PCL who has expertise on the subject of transcripts, but shall maintain the confidentiality of the student's information by not disclosing the identity of the applicant. Before the Dean transmits to the applicant the Dean's decision on the application, the applicant may submit additional materials to the Dean, who must read them if time permits.
3. Within thirty days after receiving the application, the Dean must render a written decision on it and transmit the decision to the applicant. The Dean shall cause the application and decision and any materials the Dean read or considered in connection with the application to be placed in the applicant's student file. If the decision is that a change is to be made, the decision must specify the change, and if the applicant has not requested an appeal within the fourteen days to appeal, Dean shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.
4. The applicant may appeal the decision of the Dean to the Community Board, but may do so only by transmitting to the Chair of the Board a request for appeal within fourteen days of receiving the Dean's decision. In the request, the applicant must state whether the applicant consents to participation in the appeal by student members of the Community Board. The Community Board may delegate the appeal to the

PCL's updated progress report as of 10/1/23:

PCL's updated progress report as of 11/1/23:

RECOMMENDED SUGGESTIONS IN 2020 INSPECTION REPORT

“Pursuant to Guideline 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements.”

PCL's new Student Information System has electronic features that enable the school to create global rubrics for use in any or all the courses. Those features can also be used to create a standard syllabus template.

Currently, all of PCL's classes utilize a standard syllabus, with the exception of electives and clinical courses. In order to promote consistent communication of course requirements, the Dean will work to standardize syllabi for all classes in the upcoming quarters.

“Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures upon the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school.”

Our data security is provided by the security protections of our new Student Information System Populi.

“We built Populi on the open-source ‘LAMP’ stack (Linux, Apache, MySQL, PHP), availing you of the same powerful, secure technology undergirding web companies like Google, Vimeo, Facebook, and Amazon.”

PCL’s updated progress report as of 11/1/23:

PCL continues to utilize Populi and fire-safe locking file cabinets for physical files.

The Dean has placed an item on the agenda for the November 2023 Board Meeting in which to discuss data security in more detail.

3. Bar’s Inspection Report

“Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered.”

PCL’S Progress Report

Our Faculty-Curriculum Committee and our former Dean formulated a procedure as stated above, requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered. It was furnished to State Bar staff.

PCL’s updated progress report as of 11/1/23:

This continues to be the practice at PCL. Exams are provided to the Dean for review, along with answer keys, issue outlines, or model answers, prior to being administered to the students.

4. Bar’s Inspection Report

“Pursuant to Guidelines 5.17, 5.18, and 5.25, it suggested that the school adopt and implement a procedure requiring that grades and student examinations papers must be reviewed and approved by the Dean or other legal educator before being posted.

PCL’S Progress Report

In the summer of 2020, we adopted a procedure requiring that grades and must be reviewed and approved by the Dean or other legal educator before being posted. After implementing it in the fall quarter, we have been evaluating and revising it. Our Faculty Curriculum Committee and Dean formulated a revision and furnished it to State Bar staff. The revision adds the requirement that student examinations papers, as well as grades, must be reviewed and approved by the Dean or other legal educator before grades are posted. Adoption of a revision is scheduled to be considered at the next meeting of our board of directors.

PCL’S Updated progress report as of 4/1/23:

PCL retains the same policy and no change has been made.

PCL’s updated progress report as of 5/1/23:

PCL retains the same policy and no change has been made.

PCL retains the same policy and no change has been made.

PCL's updated progress report as of 7/1/23:

PCL retains the same policy and no change has been made.

PCL's updated progress report as of 8/1/23:

PCL retains the same policy and no change has been made.

PCL's updated progress report as of 9/1/23:

PCL retains the same policy and no change has been made.

PCL's updated progress report as of 10/1/23:

The following addendum is currently published in the Student Handbook, which is available on PCL's website. It addresses the State Bar's suggestion that the school adopt and implement a procedure requiring that grades and student examinations papers must be reviewed and approved by the Dean or other legal educator before being posted:

**Administrative Grade Review Revised Policy – Approve by the PCL Board
September 19, 2021**

The Committee of Bar Examiners (CBE) has notified Peoples College of Law (PCL) and many other law schools to guard against grade inflation. This has led to an administrative grade review policy as described below.

1. Before exams are administered, faculty will need to submit their exams and rubrics/issues outlines/model answers to the Faculty and Curriculum Committee (FCC) to review. The FCC will then assign reviewers, which can include the Dean, and other members of the FCC to review the exams and rubrics/issues outlines/model answers. Current faculty or student members of FCC cannot review their own exams and rubrics/issues outlines/model answers. Faculty will be informed of this policy at the orientation, and/or upon coming on board as a PCL faculty member.
2. Faculty will be provided a copy of the grading policy, and will be reminded of the grading policy for exams to be anonymous. Prior to grades being due, the faculty will once again be sent a reminder of the school's grading policies and to be mindful of grade inflation.
3. Once final exams have been conducted and after grades are entered in Populi, but before they are published (Populi calls this "finalizing"), the Administrator will review the grades to ensure they adhere to PCL grading policies, that grades are not inflated, and that there is no wide disparity in the grades among several instructors teaching the same group of students. The Administrator can use the grading matrix below as a general guide when considering grade inflation. The Administrator will notify the Dean and the FCC if there are grades that appear to have been inflated and if there is such a disparity so the committee can review.
4. The reviewers would include members of the FCC, the Dean, and former faculty members, but faculty would not, review their own grades.
5. If an instructor's grades appear to be inflated, the instructor will be sent a courtesy courteous letter asking them to review and reconsider their grades. This courtesy letter

was sent prior to grade submission regarding grade inflation.

6. The instructor will review their grades and notify the FCC of any grade changes following their own review. If the instructor does not find any changes to be made, they will be asked to provide a short narrative explaining why they determined grade inflation is not present, or confer with the FCC and the Dean regarding the revisions. The reviewers will respect the faculty's professional judgment and may not override the grades, unless it is such a substantial departure from accepted academic norms as to demonstrate that the faculty did not actually exercise professional judgment.

7. Once the grades have been decided, they will then be sent to the Administrator to be published/finalized in Populi, and sent to the students.

Faculty must use the grading matrix set out below. The matrix provides considerable flexibility. We are also providing a sample grading rubric for the exams to all faculty as a template.

PCL's updated progress report as of 11/1/23:

There has been no change.

From: administrator administrator@peoplescollegeoflaw.edu
Subject: Re: URGENT PCL: Disclosures
Date: August 30, 2023 at 12:26 PM
To: REDACTED
Cc: Treasurer . treasurer@peoplescollegeoflaw.edu, Edith Pomposo dean@peoplescollegeoflaw.edu

REDACTED

The disclosures are not technically a legal commitment to attend. They are simply an acknowledgement that allows us to collect fees in the event you do decide to attend and make a payment. Therefore, you should sign as soon as possible and we will work with you on accepting payment when you feel informed and comfortable with the setting after the school year starts.

As for your other concerns, I would be happy to schedule a call with the Dean and I so that we can communicate with each other and respond directly to your questions.

I hope this clarifies things a bit,

...R

On Aug 30, 2023, at 11:41 AM, REDACTED wrote: _____

Roger-

We (I) have not even been provided with the times when our classes are supposed to take place in less than a week or who the instructors will be, much later than this information was promised to us. I am not sure why PCL has been so late to provide this information and these disclosures, but I do not appreciate the attempt to bully us into signing them less than 24 hours after they finally reached us.

I am not sure I am ready to commit to attending PCL this year, but I have not been contacted by anyone about whether I intended to enroll. What are we committing to by signing the disclosure? Also, am I supposed to sign both disclosures that were sent to me or is one duplicative? Also, my name is misspelled in the disclosure--it is REDACTED can you correct the disclosure before I sign it?

And finally, I have no intention of making payment for any classes until after I have had the opportunity to assess the quality of the reopened school. Being new to PCL, you may not be aware that last year's quality of education, at least for the first years, was unsatisfactory. The continued lack of organization and communication suggests this year is likely to be more of the same, which would not be acceptable to me.

I am willing to sign a disclosure in which I acknowledge the school's probationary status before the school year begins, but I do not intend to make any payments for at least the first two weeks, until I can be sure that we are being provided with a worthwhile product at a time and in a place that is accessible and appropriate.

REDACTED

On Wed, Aug 30, 2023 at 11:06AM administrator <administrator@peoplescollegeoflaw.edu> wrote: _____

Dear Students,

I am writing today because some of you have either not looked at your disclosure agreement, are not communicating, or are simply looking at the disclosures without signing or communicating.

As you guys know I am the new person, relatively, to the school. One of the issues that I have identified is that going forward, documents *must* be properly signed in a timely manner.

There seems to be a reticence to sign documents however. One of the primary issues the school ran into this year was the proper signing of disclosures.

The disclosures have to be signed in order for any business to be accomplished. This year, this is doubly important not just because we are under a regulatory onus, but because we need all resources available in order to bring the school in line with conditions for instruction.

Please sign the disclosures documents *immediately* if you wish intend to attend classes at PCL as otherwise you will not be processed.

If any past accounts are in arrears, email our treasurer and cc me. Please communicate.

....Roger

Attachment E

The Committee of Bar Examiners
of
The State Bar of California

**2022 ANNUAL REPORT FOR
REGISTERED, UNACCREDITED LAW SCHOOLS**
Pursuant to Unaccredited Law School Rule 4.242

Law school name: Peoples College of Law
Law school website: www.peoplescollegeoflaw.edu
Fax number: _____
Registrar name: Adriana Zuniga Nunez
Registrar phone number: REDACTED
Registrar email address: administrator@peoplescollegeoflaw.edu

The Annual Report must be signed and dated by the Dean of the reporting school.

I hereby declare under penalty of perjury under the laws of the State of California that the answers and statements provided in the following report are true and correct. And further, I hereby certify that this law school is in compliance with the *Unaccredited Law School Rules* and the *Guidelines for Unaccredited Law School Rules*, except as specifically identified herein.

Dean name: Edith Pomposo
Dean phone number: REDACTED
Dean email address: dean@peoplescollegeoflaw.edu
Signed: Edith Pomposo Digitally signed by Edith Pomposo
Date: 2022.11.16 14:59:56 -08'00'
Date: _____

The Committee of Bar Examiners
of
The State Bar of California

**2021 ANNUAL REPORT FOR
REGISTERED, UNACCREDITED LAW SCHOOLS**
Pursuant to Unaccredited Law School Rule 4.242

Law school name: People's College of Law
Law school website: www.peoplescollegeoflaw.edu
Fax number: REDACTED
Registrar name: Rebecca Hirsch
Registrar phone number: REDACTED
Registrar email address: registrar@peoplescollegeoflaw.edu

The Annual Report must be signed and dated by the Dean of the reporting school.

I hereby declare under penalty of perjury under the laws of the State of California that the answers and statements provided in the following report are true and correct. And further, I hereby certify that this law school is in compliance with the *Unaccredited Law School Rules* and the *Guidelines for Unaccredited Law School Rules*, except as specifically identified herein.

Dean name: Juan Manuel Sariñana
Dean phone number: REDACTED
Dean email address: dean@peoplescollegeoflaw.edu
Signed: _____
Date: _____

The Committee of Bar Examiners
of
The State Bar of California



**2020 ANNUAL REPORT FOR
REGISTERED, UNACCREDITED LAW SCHOOLS**
Pursuant to Unaccredited Law School Rule 4.242

Name of Law School: **People's College of Law**
Law School website: **www.peoplescollegeoflaw.edu**
Telephone number: **REDACTED**
Fax number: **Rebecca Hirsch**
Registrar: **REDACTED**
Email address: **registrar@peoplescollegeoflaw.edu**

The Annual Report must be signed and dated by the Dean of the reporting school.

I hereby declare under penalty of perjury under the laws of the State of California that the answers and statements provided in the following report are true and correct. And further, I hereby certify that this law school is in compliance with the *Unaccredited Law School Rules* and the *Guidelines for Unaccredited Law School Rules*, except as specifically identified herein. **

Name: **Juan Manuel Sariñana**
Title: **REDACTED**
Telephone number: **dean@peoplescollegeoflaw.edu**
Email address: _____
Signed: _____
Date: _____

**And except as shown in pages 1-4 of the 2020 State Bar inspection of our school under the heading "Recommended Mandatory Actions" and in our Update on Compliance Status submitted with this Annual Report.

PCL-SER-00546

From: REDACTED

Sent: Thursday, November 16, 2023 10:54 AM

To: hectorpena@ucla.edu <hectorpena@ucla.edu>; C Franco <cfranco7@hotmail.com>;
administrator@peoplescollegeoflaw.edu <administrator@peoplescollegeoflaw.edu>

Cc: Natalie.Leonard@calbar.ca.gov <Natalie.Leonard@calbar.ca.gov>

Subject: Past due Invoice

Hello everyone

On June 26, 2024, Mr. Héctor Candelario Peña Ramírez, J.D. signed an agreement with REDACTED to pay REDACTED for the accommodation of the requested loan with REDACTED (see attached signed agreement)

The loan has been fulfilled and an invoice has been generated for payments on August 24, 2023, to which it has been ignored

Several attempts were made to collect the invoice with no avail (see attached invoice)

Can you please take care of this as it is way overdue

Your prompt attention to this matter will be greatly appreciated

REDACTED

Leonard, Natalie

From: REDACTED
Sent: Monday, December 4, 2023 8:22 PM
To: Ana Maria Lobos, Esq.
Cc: Leonard, Natalie; REDACTED (administrator@peoplescollegeoflaw.edu)
Subject: The file you sent me contained tax records for other former employees

Hi Ms. Lobos,

Last October, I only glanced at the info I needed to use to file my tax return and did not print it, But today, after printing the PDF documents you sent me for my file, I noticed the PDF *included the tax records for 2 other individuals.*

To wit: the file you sent me contained the W-2 tax forms of former Dean Edith Pompano, and another staffer (REDACTED) as well as mine. I urge you to modernize your record keeping practices so that you are not sharing private information like income, the last 4 digits of our social security numbers and addresses on those tax forms.

I am not sure why I was sent the tax forms of other former or current employees, but at the very least private information should have been redacted, if you were not able to separate the documents. There is a way to separate pages of a PDF, and if you like, I can look up a tutorial for you. That way, if they or other staffers request their tax records in the future, you won't be circulating mine too. There was a long list of people that you already circulated my W-2 to. I presume it was the current board of PCL, which also includes students.

Thank you,

REDACTED

Disclosure:

This message, as well as any attached document, contains information that is confidential and privileged, and may contain attorney work product. The information is intended only for the use of the addressee named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, or distribution of this email or attached documents, or taking any action in reliance on the contents of this message or its attachments is strictly prohibited, and may be unlawful. If you have received this message in error, please (1) immediately notify me by reply email, (2) do not review, copy, save, forward, or print this email or any of its attachments, and (3) immediately delete and destroy this email, its attachments and all copies thereof. Unintended transmission does not constitute waiver of the attorney-client privilege or any other privilege.

On Oct 16, 2023, at 8:00 AM, Ana Maria Lobos, Esq. <dean@peoplescollegeoflaw.edu> wrote:

Thank you, Natalie.
The documents have since been sent to REDACTED

Ana Maria Lobos

On Sun, Oct 15, 2023, 5:25 PM Leonard, Natalie <Natalie.Leonard@calbar.ca.gov> wrote:

Dear Dean Lobos and Roger, See the email below from REDACTED. You may have spoken with her already, but she is contacting you to get a copy of her W2 needed to file her taxes due Monday. If you have already connected with her and solved the problem, then thank you!

Sincerely, Natalie

From: REDACTED

Sent: Saturday, October 14, 2023 6:14:51 PM

To: Leonard, Natalie <Natalie.Leonard@calbar.ca.gov>

Subject: Do you know who is in charge at PCL? They failed to issue my last W-2, which I need for my tax return

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Natalie,

I am so sorry to bother you with this. Are you still in touch with the Dean at *People's College of Law*? Could you possibly forward this message to them? Or ask them to get in touch with me ASAP?

Dear Dean (or person in charge):

I urgently need to get my 2022 W-2 and discovered PCL did not issue one for my work for 2022. I resigned around REDACTED. I am so disappointed that PCL never informed me that I would not have a way of getting my W-2 from PCL's payroll service.

To refresh your recollection, I worked at PCL, as the Administrator/Registrar from REDACTED to REDACTED.

Today, as I was preparing my tax return, due this Monday, 10/16/23, I discovered that PCL **did not notify me that they had**

abandoned the payroll app they were using (called "Gusto") therefore, I was not sent a W-2 for 2022. I sent my letter of resignation on REDACTED and was never informed of this fact. I always believed I could access the form online, as is customary, even after leaving.

However, I tried to log in today, and got the below message. Now I run the risk of incurring penalties for late filing of my tax return. I hope the Dean can at least inform me of the **amount they declared they paid me in 2022**. That is really all I need urgently.

From <https://app.gusto.com/help>:

Where is my W-2?

THE GUILD LAW SCHOOL stopped using Gusto, so we didn't create your 2022 tax forms. If you have questions or need copies of your form, contact the company directly.

Old tax forms can be found on the Documents page. If you were paid through Gusto by more than one company, click your name in the top right corner to switch companies.

As you know:

By law, employers must furnish W-2s to employees and the Social Security Administration by January 31 each year. Penalties start at \$50 per each incorrect or late W-2 for the tax year 2022 (and rise to \$60 starting in 2023). Late filers may apply for an extension with Form 8809 and wait for a response from the IRS.

Sincerely,

REDACTED

REDACTED

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EXHIBIT 201B



The State Bar of California

News Releases

Media Contact

Office of Communications | 213-765-1388 | barcomm@calbar.ca.gov

Committee of Bar Examiners Withdraws Registration of Peoples College of Law Due to Noncompliance



Thursday, December 14, 2023 Categories: News Releases

In a first-of-its kind move, the State Bar of California Committee of Bar Examiners (CBE) voted today to withdraw the registration and terminate the degree-granting authority of Los Angeles-based Peoples College of Law (PCL), effective May 31, 2024. PCL is a registered unaccredited law school with a history of compliance issues 15 years in the making. Despite repeated attempts by the State Bar to assist the school to come into compliance, PCL has been unsuccessful in achieving or sustaining a compliant program of legal education.

After a 2020 on-site school inspection by the State Bar found multiple noncompliance issues, the school's registration was renewed with conditions. The school has since failed to fully address the compliance issues identified. From January to May 2022, the school was nonresponsive to the State Bar's queries on compliance and was formally served with a notice of noncompliance in June 2022. The CBE placed the school on probation in December 2022. Over the last year, the school has failed to show sustained compliance.

"The State Bar of California always offers to work with law schools under our regulatory authority to comply with their legal requirements in order to remain licensed in California," said Leah Wilson, State Bar Executive Director. "Our charge is to establish minimum requirements and protect the interests, quality of education, and chance for success of California law students. When a law school continually misses that mark for a long period of time, this negatively impacts students. Consumer protection demands that we hold schools to standards. We appreciate the Peoples College of Law's storied history, and we thank its supporters who spoke passionately on its behalf, but we simply cannot shirk our responsibilities and fail to protect consumers of legal education."

While staff had recommended that the school's registration be terminated immediately, the CBE, out of concern for the school's remaining seven students, set the termination date at May 31, 2024. Those who have not completed their legal education by then (anticipated to be five students), would need to either transfer to another school or participate in the State Bar's Law Office Study program. The State Bar stands ready to assist these students in finding placements to continue their legal education. The committee's action also directed the law school to identify a custodian of records to assist students and graduates with

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:23-cv-01298-JLS-PD

Date: June 07, 2023

Title: Todd R.G. Hill et al v. The Board of Directors, Officers and Agents and Individuals of the Peoples College of Law et al

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

V. R. Vallery

Deputy Clerk

N/A

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendant:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER: (1) DENYING PLAINTIFF’S
MOTION FOR LEAVE TO SUPPLEMENT FIRST
AMENDED COMPLAINT (Doc. 40); AND (2) DISMISSING
FIRST AMENDED COMPLAINT WITH LEAVE TO AMEND**

Before the Court is a Motion for Leave to Supplement the First Amended Complaint filed by Plaintiff Todd R.G. Hill (“Hill”). (Mot., Doc. 40.) One of the Defendants in this action, Robert Ira Spiro (“Spiro”) opposed Hill’s Motion. (Opp., Doc. 44.) Hill has not filed a reply brief. Neither party has requested oral argument, and the Court finds this matter appropriate for disposition without a hearing. For the following reasons, the Court DENIES Hill’s Motion and DISMISSES the First Amended Complaint WITH LEAVE TO AMEND.

I. BACKGROUND

On February 20, 2023, Hill, proceeding pro se, initiated this action by way of a 402-page complaint with approximately 800 additional pages of exhibits. (Complaint, Doc. 1.) On April 5, 2023, the Court *sua sponte* issued an order dismissing the initial Complaint for failure to comply with Rule 8. (Apr. 5, 2023 Order, Doc. 37.) There, the Court gave Hill leave to file a First Amended Complaint and instructed him that “the

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First Amended Complaint must simply, concisely, and clearly set forth the specific sequence of events (including specific relevant dates) which allegedly gives rise to the claims for relief, including what each Defendant did and how each specific defendant’s conduct injured Plaintiff.” (*Id.* at 5–6.)

On April 18, 2023, Hill filed his FAC. (*See* FAC, Doc. 38.) The FAC is 75 pages long and asserts ten causes of action against dozens of Defendants. (*See* FAC.) Hill brings claims arising under California law for breach of contract, breaches of fiduciary duties, unfair business conduct, civil rights violations, and negligence. (FAC ¶¶ 182–231, at 37–48,¹ ¶¶ 239–60, at 50–55.) The FAC also includes federal claims under 42 U.S.C. § 1981 and the Racketeer Influenced and Corrupt Organization Act (“RICO”). (FAC ¶¶ 239–52, at 50–52, ¶¶ 226–263, at 55–61.) Hill brings these claims not only on his own behalf, but also as “as attorney-in-fact *guardian ad litem*” of 888 unnamed individuals. (FAC at 1.)

As best the Court can ascertain, Hill alleges that all the Defendants in this action—which include the Peoples College of Law (“PCL”) and many of its officers and employees (collectively, the “PCL Defendants”), as well as the State Bar of California, numerous subdivisions thereof, and dozens of State Bar officials and employees—are engaged in an unlawful conspiracy that has harmed him individually as well as the public at large. (*See, e.g.*, FAC ¶ 73, at 15.) As to the PCL Defendants, Hill alleges that they have injured him in many ways and breached various obligations that they allegedly owed him. For example, Hill alleges that PCL “failed to maintain accurate records and provide timely access to students [sic]”; that the PCL Defendants revised the PCL Student Handbook to retaliate against him particularly; and that PCL preys on “students

¹ The paragraphs in the FAC are not consecutively numbered and several paragraphs share the same number. Therefore, citations to the FAC refer to paragraph numbers first, then page numbers.

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from non-traditional academic backgrounds and pre-identified communities suffering from intractably limited access to legal services” as an “intentional tactic” because such students are unlikely to fight back against unfair treatment. (FAC ¶¶ 76–80, at 16, ¶¶ 84–90, at 17–18, ¶¶ 152–53, at 30–31.) According to Hill, the State Bar of California and its various officers and agents have failed to protect students from PCL’s misconduct—in fact, Hill alleges, they are complicit in that misconduct and have “engaged in denial of duty and gaslighting [sic]” of Hill. (FAC ¶¶ 91–92, at 18–19.) Additionally, Hill challenges mandatory membership in the State Bar of California as unconstitutional, though it is unclear how that relates to his other allegations. (*Id.* ¶ 71, at 14.)

The FAC is significantly shorter than the original Complaint, but at 75 pages it is still extremely long and prolix. It is rambling, replete with statements of dubious significance, and very difficult to follow. Furthermore, like the original Complaint, the FAC frequently lumps all Defendants together, so it is impossible to discern what each Defendant allegedly did wrong. The FAC is also formally deficient in substantial respects. First, although the paragraphs in the FAC are numbered, they are not consecutively numbered and many of the paragraphs skip or repeat numbers. Second, although Hill separates his claims under different Counts, the allegations under each Count include citations to inapplicable statutes and mix various legal issues and causes of action. For example, the “Breach of Fiduciary Duty” Count incorporates elements of California’s statutes prohibiting unfair business conduct as well as Hill’s challenge to the constitutionality of mandatory membership in the State Bar of California. (FAC ¶¶ 202–12, at 41–44.)

On May 5, 2023, Hill filed the Motion for Leave to Supplement the First Amended Complaint presently before the Court. (Mot.) Hill seeks the Court’s leave to supplement the FAC, stating that he seeks “to further clarify factual allegations and streamline the

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FAC.” (*Id.* at 2.) Hill has included a copy of his proposed “Supplemental First Amended Complaint” (the “SFAC”) with his Motion. (Doc. 40-1.) The SFAC is 114 pages long.

Spiro filed an opposition brief to Hill’s Motion on May 21, 2023. (Opp.) Spiro argues that the Court should deny Hill’s Motion because it “violates the large majority of rules governing motions in general and motions to amend pleadings in particular.” (*Id.* at 1.) He also argues that Hill’s FAC and SFAC violate the pleading standards set forth in Federal Rule of Civil Procedure 8 as well as this Court’s April 5, 2023 Order. (*Id.* at 2–4.)

II. LEGAL STANDARD

The law mandates that even pro se complaints must, at minimum, comply with pleading requirements delineated by Rule 8. *See, e.g., McHenry v. Renne*, 84 F.3d 1172, 1178–79 (9th Cir. 1996) (concluding that a court may dismiss a pro se litigant’s complaint for noncompliance with Rule 8); *see also Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995) (“Although we construe pleadings liberally in their favor, pro se litigants are bound by the rules of procedure.”). To comply with Rule 8, a pleading must contain “a short and plain statement showing that the pleader is entitled to relief,” *see* Fed. R. Civ. P. 8(a)(2), and each allegation therein “must be simple, concise, and direct,” *see* Fed. R. Civ. P. 8(d)(1). Courts have described the standard enunciated at Rule 8 as the “fair-notice” standard, which merely requires that a pleading “give the defendant fair notice of what the . . . claim is and the grounds upon which it rests[.]” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (cleaned up).

Rule 8 is “not meant to impose a great burden upon a plaintiff.” *Dura Pharms., Inc. v. Broudo*, 544 U.S. 336, 347 (2005). Dismissal under Rule 8 typically is reserved for “those instances in which the complaint is so ‘verbose, confused and redundant that

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its true substance, if any, is well disguised.” *Hearns v. San Bernadino Police Dep’t*, 530 F.3d 1124, 1131 (9th Cir. 2007) (quoting *Gillibeau v. City of Richmond*, 417 F.2d 426, 431 (9th Cir. 2008)). As the Ninth Circuit has observed:

Prolix, confusing complaints . . . impose unfair burdens on litigants and judges. . . . The judge wastes half a day in chambers preparing the “short and plain statement” which Rule 8 obligated plaintiffs to submit. [Sh]e then must manage the litigation without knowing what claims are made against whom. This leads to discovery disputes and lengthy trials, prejudicing litigants in other case[s] who follow the rules, as well as defendants in the case in which the prolix pleading is filed.

McHenry, 84 F.3d at 1179–80; accord *Salahuddin v. Cuomo*, 861 F.2d 40, 42 (2d Cir. 1988) (noting the statement of a claim “should be short because unnecessary prolixity in pleadings places an unjustified burden on the court and the party who must respond to it because they are forced to select the relevant material from a mass of verbiage”) (cleaned up).

“Shotgun pleadings” violate Rule 8(a). See, e.g., *Melrose Place Holdings v. Socotra Opportunity Fund, LLC*, 2022 WL 3013226, at *4 (C.D. Cal. May 31, 2022). Another court in this District has explained the common characteristics of such pleadings and why they are unacceptable:

Shotgun pleadings are pleadings that overwhelm defendants with an unclear mass of allegations and make it difficult or impossible for defendants to make informed responses to the plaintiff’s allegations. . . . One common type of shotgun pleading comes in cases with multiple defendants where the plaintiff uses the omnibus term “Defendants” throughout a complaint by grouping

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defendants together without identifying what the particular defendants specifically did wrong. Another type is where the plaintiff recites a collection of general allegations toward the beginning of the Complaint, and then each count incorporates every antecedent allegation by reference. . . . This shotgun pleading style deprives Defendants of knowing exactly what they are accused of doing wrong.

Sollberger v. Wachovia Secs., LLC, 2010 WL 2674456, at *4 (C.D. Cal. June 30, 2010) (cleaned up). The Ninth Circuit has approved dismissal of “shotgun pleading” complaints full of “everyone did everything” allegations. *Destfino v. Reiswig*, 630 F.3d 952, 958 (9th Cir. 2011).

District courts possess inherent authority to dismiss *sua sponte* a pleading that fails to comply with Rule 8. *See Hearn*s, 530 F.3d at 1131 (holding that a pleading may be dismissed *sua sponte* for failure to satisfy Rule 8); *see also Robert v. First Haw. Bank*, 172 F.3d 58 (9th Cir. 1999) (upholding district court’s *sua sponte* Rule 8 dismissal); *Wolfe v. Yellow Cab Co-op., Inc.*, 880 F.2d 417 (9th Cir. 1989) (same).

III. DISCUSSION

A. Hill’s Motion for Leave Is Improper on Several Grounds

Pro se plaintiffs must follow both the Federal Rules of Civil Procedure and the Local Rules of the Central District of California. *See* C.D. Cal. L.R. 1-3 (“Persons appearing pro se are bound by these rules, and any reference in these rules to ‘attorney’ or ‘counsel’ applies to parties pro se unless the context requires otherwise.”); *Startup v. JP Morgan Chase Bank*, 2014 WL 12610194, at *1 (C.D. Cal. Sept. 17, 2014); *Johnson v. Los Angeles Sheriffs Dep’t*, 2014 WL 2465167, at *1 (C.D. Cal. May 29, 2014).

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Federal Rule of Civil Procedure 11 requires that “[e]very pleading, written motion, and other paper must be signed by at least one attorney of record in the attorney’s name—or by a party personally if the party is unrepresented.” Fed. R. Civ. P. 11(a). Local Rule 11-1 also provides that “[a]ll documents, except declarations, shall be signed by the attorney for the party or the party appearing pro se. The name of the person signing the document shall be clearly typed below the signature line.” C.D. Cal. L.R. 11-1. Here, the Motion does not bear a signature and therefore fails to comply with Local Rule 11-1. This alone is a sufficient basis to strike the Motion. *See* Fed. R. Civ. P. 11(a).

Local Rule 7-3 mandates, subject to exemptions listed in Local Rule 16-12 and certain other situations not relevant here, that at least seven days prior to filing any motion, a conference with opposing counsel must take place, preferably in person, wherein the substance of the contemplated motion is thoroughly discussed, along with any potential resolution. C.D. Cal. L.R. 7-3. If the parties are unable to resolve their differences and are compelled to bring the matter before the Court, counsel for the moving party must include in the notice of motion a statement to the following effect: “This motion is made following the conference of counsel pursuant to L.R. 7-3 which took place on (date).” *Id.* The purpose of the rule is to help parties “reach a resolution which eliminates the necessity for a hearing . . .” *Id.*; *see also James R. Glidewell Dental Ceramics, Inc. v. Phila. Indem. Ins. Co.*, 2016 WL 9223782, at *1 (C.D. Cal. Sept. 12, 2016) (Staton, J.). In its Initial Standing Order, this Court makes clear that the purpose is also to refine and narrow the disputed issues before presenting them in a motion. (*See* Standing Order, Doc. 5 at 5.). Local Rule 7-3 applies to pro se plaintiffs. (*Id.*)

Here, Hill has failed certify compliance with Rule 7-3. (*See* Mot.) Defendant Spiro has appeared in this case, and Hill should have discussed his contemplated motion

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when he met with Spiro—on the very day Hill filed his Motion—to discuss motions that Spiro intended to file in this matter. (See Spiro Decl. ¶ 2, Doc. 44 at 7.)

“The district court has considerable latitude in managing the parties’ motion practice and enforcing local rules that place parameters on briefing.” *Christian v. Mattel, Inc.*, 286 F.3d 1118, 1129 (9th Cir. 2002); *see also Ward v. Circus Circus Casinos, Inc.*, 473 F.3d 994, 1000 (9th Cir. 2007) (stating that when a motion violates the Local Rules, the district court may, in its discretion, deny the motion on that basis alone); *Waters v. Weyerhaeuser Mortg. Co.*, 582 F.2d 503, 507 (9th Cir. 1978) (stating that it was “clearly discretionary” to deny a motion to amend “for failure to comply with the local rule”).

Given the above fundamental deficiencies in Hill’s Motion and other shortcomings identified in Spiro’s Opposition, the Court finds that it would be inappropriate for it to consider Hill’s Motion. Accordingly, the Court DENIES Hill’s Motion.

B. Hill’s FAC Must Be Dismissed for Failure to Comply with Rule 8

As noted above, Hill’s FAC—though substantially shorter than the original Complaint—is still prolix, rambling, and excessively long at 75 pages. Furthermore, the FAC still exhibits the landmarks of “shotgun pleading”: not only does it tend to lump all the Defendants together at various points, but it also realleges and reincorporates by reference all preceding paragraphs—irrespective of their relevance—at the beginning of each enumerated Count. (FAC ¶ 72, at 15, ¶ 182, at 37, ¶ 202, at 41, ¶ 213, at 44, ¶ 223, at 46, ¶ 232, at 48, ¶ 239, at 50, ¶ 253, at 53, ¶ 226, at 55, ¶ 250, at 62.) The FAC is not a “short and plain” statement of Hill’s claims. Fed. R. Civ. P. 8(a). Its allegations are far from “simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). Thus, the FAC violates Rules 8(a) and 8(d)(1) and is subject to dismissal on that basis alone. *See, e.g., Nevijel v. N. Coast Life Ins. Co.*, 651 F.2d 671, 674 (9th Cir. 1981) (upholding dismissal of a

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“verbose, confusing and almost entirely conclusory” complaint that “consisted of 48 pages with 14 pages of addenda and 9 pages of exhibits” for failure to comply with Rule 8(a)).

Additionally, the FAC violates Rule 8 because it is a largely conclusory collection of causes of action without factual allegations to support them. A conclusory complaint replete with immaterial factual allegations fails to perform its “essential function”: “convey[ing] a clear impression of what claims [Plaintiff] is asserting, which defendants are being sued, and on what legal grounds.” *Guerrero v. Cnty. of Orange*, 2019 WL 8633908, at *3 (C.D. Cal. Sept. 17, 2019) (quoting *McHenry*, 84 F.3d at 1180). Like the original Complaint, the FAC does not adequately distinguish between the very many Defendants’ actions and how they give rise to the claims brought against each Defendant, so it is still impossible to understand exactly who is being sued for what. *Cf. id.* (“Rather than setting forth separate claims in a clear, coherent manner, the Complaint buries its numerous claims within a long series of dense paragraphs, in no discernable order, mixed in among several pages of unnecessary legal citations and assertions. Even if the defendants combed through these paragraphs with great effort, they would fail to ascertain which claims concern them[.]”).

Accordingly, the Court concludes that dismissal of the FAC for failure to comply with Rule 8 is warranted.

C. Leave to Amend

“Unless it is absolutely clear that no amendment can cure the defect . . . a pro se litigant is entitled to notice of the complaint’s deficiencies and an opportunity to amend prior to dismissal of the action.” *Lucas v. Dep’t of Corr.*, 66 F.3d 245, 248 (9th Cir. 1995). Here, the Court has already granted Hill leave to amend his pleadings once.

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Although the FAC represents an improvement over Hill’s original Complaint, it is still far from complying with Rule 8. The Court will grant Hill another opportunity to amend his pleading and “intelligibly inform” Defendants in this action—and this Court—who violated his rights, what facts show that his rights were violated, when the violations occurred, where they happened, and why he is entitled to relief. *Beck v. Catanzarite L. Corp.*, 2023 WL 1999485, at *10 (S.D. Cal. Feb. 14, 2023).

IV. CONCLUSION

For the above reasons, Hill’s Motion is DENIED and the First Amended Complaint is DISMISSED WITH LEAVE TO AMEND.

If Hill still wishes to pursue this action, he is granted twenty-one (21) days from the date of this Order within to file a Second Amended Complaint, attempting to cure the defects in the Complaint described herein. The Second Amended Complaint must be complete in itself and not refer in any manner to the FAC or the original Complaint. The Second Amended Complaint should contain a “short and plain statement” of the claim or claims for relief, setting forth, in straightforward fashion, the facts supporting each claim. *See* Fed. R. Civ. P. 8(a), (d)(1). All allegations should be made in (correctly) numbered paragraphs. *See* Fed. R. Civ. P. 10(b).

Initials of Deputy Clerk: vrv

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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Date: April 05, 2023

Title: Todd R.G. Hill et al v. The Board of Directors, Officers and Agents and
Individuals of the Peoples College of Law et al

Present: **Honorable JOSEPHINE L. STATON, UNITED STATES DISTRICT JUDGE**

V.R. Vallery
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

Not Present

Not Present

**PROCEEDINGS: (IN CHAMBERS) ORDER: (1) DISMISSING COMPLAINT
WITH LEAVE TO AMEND; AND (2) REVOKING
PLAINTIFF’S ELECTRONIC FILING PRIVILEGES**

I. DISMISSAL OF COMPLAINT WITH LEAVE TO AMEND

On February 20, 2023, Plaintiff Todd R.G. Hill (“Plaintiff”), proceeding pro se, initiated this action by way of a 402-page complaint with approximately 800 additional pages of exhibits. (Compl., Doc. 1.) Ironically, the Complaint’s Introduction, which we reach at page 24, begins with the statement, “The Court’s time is a precious resource.” (Compl. at 24.)

As best the Court can ascertain, Plaintiff alleges that various individuals and organizations, including the State Bar of California and the Peoples College of Law, are engaged in a conspiracy that includes defrauding members of the public, depriving them of various constitutional and contractual rights, and criminally destroying and falsifying evidence. (*See id.* at 1–14.) Plaintiff also alleges that the California State Bar Act of 1927 is unconstitutional because it violates the separation of powers and fails to protect the public. (*See id.* at 14–18.) In spite of being exceedingly long, the Complaint is actually short on legally relevant factual allegations; instead, it consists mainly of legal

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arguments and conclusions with minimal or nonexistent factual support. The Complaint is also replete with legal citations and rule statements. In sum, the Complaint is more of a legal brief than a pleading: rather than setting forth definite factual allegations and showing how, if proven, they would establish the elements of Plaintiff’s causes of action, the Complaint buries Plaintiff’s claims and allegations in a mass of citations and arguments that make it impossible to understand what the dozens of named Defendants did and why they are liable. Furthermore, even though Plaintiff alleges a host of causes of action against numerous defendants, each of the purported “Counts” in the Complaint combines several causes of action, with no discernible logic or clear indication as to which count is brought against which Defendants.

A complaint must contain a “short and plain” statement of the claim showing the pleader is entitled to relief. Fed. R. Civ. P. 8(a). “Each allegation must be simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). “Experience teaches that, unless cases are pled clearly and precisely, issues are not joined, discovery is not controlled, the trial court’s docket becomes unmanageable, the litigants suffer, and society loses confidence in the court’s ability to administer justice.” *Bautista v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000) (cleaned up). A complaint is subject to dismissal if “one cannot determine from the complaint who is being sued, for what relief, and on what theory, with enough detail to guide discovery.” *McHenry v. Renne*, 84 F.3d 1172, 1178 (9th Cir. 1996). Each claim founded on a separate occurrence must be stated in a separate count. Fed. R. Civ. P. 10(b). The paragraphs must be numbered. *Id.* Although Plaintiff is proceeding pro se, he nevertheless must comply with the rules of procedure. *See Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir.), *cert. denied*, 516 U.S. 838 (1995) (“Although we construe pleadings liberally in their favor, pro se litigants are bound by the rules of procedure.”).

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“Shotgun pleadings” violate Rule 8(a). *See, e.g., Melrose Place Holdings v. Socotra Opportunity Fund, LLC*, 2022 WL 3013226, at *4 (C.D. Cal. May 31, 2022). Another court in this District has explained the common characteristics of such pleadings and why they are unacceptable:

Shotgun pleadings are pleadings that overwhelm defendants with an unclear mass of allegations and make it difficult or impossible for defendants to make informed responses to the plaintiff’s allegations. . . . One common type of shotgun pleading comes in cases with multiple defendants where the plaintiff uses the omnibus term “Defendants” throughout a complaint by grouping defendants together without identifying what the particular defendants specifically did wrong. Another type is where the plaintiff recites a collection of general allegations toward the beginning of the Complaint, and then each count incorporates every antecedent allegation by reference. . . . This shotgun pleading style deprives Defendants of knowing exactly what they are accused of doing wrong.

Sollberger v. Wachovia Secs., LLC, 2010 WL 2674456, at *4 (C.D. Cal. June 30, 2010) (cleaned up). The Ninth Circuit has approved dismissal of “shotgun pleading” complaints full of “everyone did everything” allegations. *Destfino v. Reiswig*, 630 F.3d 952, 958 (9th Cir. 2011).

A court may dismiss *sua sponte* for failure to satisfy Rule 8 any complaint that is so confusing that its “‘true substance, if any, is well disguised’”. *Hearns v. San Bernardino Police Dep’t*, 530 F.3d 1124, 1131 (9th Cir. 2008) (quoting *Gillibeau v. City of Richmond*, 417 F.2d 426, 431 (9th Cir. 1969)); *see also McHenry*, 84 F.3d at 1180 (“Something labeled a complaint but written . . . prolix in evidentiary detail, yet without simplicity, conciseness and clarity as to whom plaintiffs are suing for what wrongs, fails

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to perform the essential functions of a complaint.”). Dismissal under Rule 8 is proper regardless of whether a pleading has any merit—the Rule “applies to good claims as well as bad, and is a basis for dismissal independent of Rule 12(b)(6).” *McHenry*, 84 F.3d at 1179.

The Complaint in this case violates federal pleading rules. First, the Complaint is extraordinarily long: at a total of 402 pages with approximately 800 additional pages of exhibits, the Complaint is certainly not a “short and plain” statement of Plaintiff’s claims. Fed. R. Civ. P. 8(a). Nor are its averments “simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). Thus, the Complaint violates Federal Rules of Civil Procedure 8(a) and 8(d)(1). *Cf. Yould v. Barnard*, 2018 WL 4105094, at *4 (N.D. Cal. Aug. 29, 2018) (finding that 400-page complaint violated Rule 8(a)); *see also Nevijel v. N. Coast Life Ins. Co.*, 651 F.2d 671, 674 (9th Cir. 1981) (upholding dismissal of a “verbose, confusing and almost entirely conclusory” complaint that “consisted of 48 pages with 14 pages of addenda and 9 pages of exhibits” for failure to comply with Rule 8(a)); *Mann v. Boatright*, 477 F.3d 1140, 1148 (10th Cir. 2007) (finding that an eighty-three page complaint containing 463 paragraphs violated Rule 8); *United States ex rel. Garst v. Lockheed-Martin Corp.*, 328 F.3d 374, 378–79 (7th Cir. 2003) (affirming dismissal of 155-page, 400-paragraph complaint, holding that “[l]ength may make a complaint unintelligible, by scattering and concealing” relevant allegations).

Additionally, Plaintiff’s Complaint is rambling, replete with facts of dubious relevance, and it is insufficiently clear as to what each of the Defendants in this action allegedly did wrong. Though the Complaint names dozens of Defendants, it is unclear what causes of action Plaintiff asserts against each Defendant and upon what factual basis. The Complaint fails to put any of the Defendants on notice of the allegations against them, making impossible for them to formulate an informed, adequate response. It is a quintessential “shotgun pleading,” which alone warrants dismissal. *See, e.g.,*

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Yagman v. Wunderlich, 2021 WL 5707166, at *3 (C.D. Cal. Nov. 22, 2021), *aff'd*, No. 21-56277, 2022 WL 2800816 (9th Cir. July 18, 2022).

Relatedly, the Complaint violates Rule 8 because it is primarily concerned with legal rules and arguments rather than performing a Complaint’s “essential functions”: “convey[ing] a clear impression of what claims [Plaintiff] is asserting, which defendants are being sued, and on what legal grounds.” *Guerrero v. Cnty. of Orange*, 2019 WL 8633908, at *3 (C.D. Cal. Sept. 17, 2019) (quoting *McHenry*, 84 F.3d at 1180). The Complaint’s failure to distinguish between the acts of the various named Defendants and the claims brought against them, combined with its focus on law rather than facts, make it impossible to understand who is being sued for what. *Cf. id.* (“Rather than setting forth separate claims in a clear, coherent manner, the Complaint buries its numerous claims within a long series of dense paragraphs, in no discernable order, mixed in among several pages of unnecessary legal citations and assertions. Even if the defendants combed through these paragraphs with great effort, they would fail to ascertain which claims concern them[.]”).

Last, the paragraphs in the Complaint are not numbered, in violation of Federal Rule of Civil Procedure 10(b). *See* Fed. R. Civ. P. 10(b) (“A party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances.”).

For the above reasons, the Court DISMISSES Plaintiff’s Complaint, but WITH LEAVE TO AMEND. If Plaintiff still wishes to pursue this action, he is granted twenty-one (21) days from the date of this Order within to file a First Amended Complaint, attempting to cure the defects in the Complaint described herein. The First Amended Complaint must be complete in itself and not refer in any manner to the original Complaint. The First Amended Complaint should contain a “short and plain statement”

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of the claim or claims for relief, setting forth, in straightforward fashion, the facts supporting each claim. See Fed. R. Civ. P. 8(a), (d)(1). All allegations should be made in numbered paragraphs. See Fed. R. Civ. P. 10(b).

In sum, the First Amended Complaint must simply, concisely, and clearly set forth the specific sequence of events (including specific relevant dates) which allegedly gives rise to the claims for relief, including what each Defendant did and how each specific defendant's conduct injured Plaintiff. Failure to file a timely First Amended Complaint may result in dismissal of this action for failure to prosecute.

II. REVOCATION OF ELECTRONIC FILING PRIVILEGES

On February 24, 2023, Plaintiff filed an Application for Permission for Electronic Filing (the "Application"). (App., Doc. 6.) In the Application, Plaintiff affirmed: "I understand that if my use of the Court's e-filing system is unsatisfactory, my e-filing privileges may be revoked and I will be required to file documents in paper, but will continue to receive documents via e-mail." (*Id.*) On March 3, 2023, the Court granted the Application. (Doc. 7.)

The Court finds that Plaintiff's use of the Court's e-filing system has been unsatisfactory. On March 3, 2023, Plaintiff filed a host of "exhibits" on the docket in this case that do not accompany any motion or application and the relevance of which is unclear. (See Docs. 8–25.) On the same day, Plaintiff filed 60 "Notices of Lawsuit and Request to Waive Service" in a single, consolidated document, and complementary unsigned "Waivers of the Service of Summons" in another document. (Docs. 26, 27.) On March 13, 2023, Plaintiff filed a similarly consolidated Request for Clerk to Issue Summons to 60 Defendants in this action. (Doc. 28.) On March 14, 2023, the Clerk issued a Notice of Deficiency informing Plaintiff that the caption in the summons did not

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match the caption in the Complaint. (Doc. 29.) On March 20, 2023, Plaintiff filed a 481-page consolidated document containing 60 revised Requests to Issue Summons. (Doc. 30.) On March 27, 2023, the Clerk issued another Notice of Deficiency identifying discrepancies between defendants named in the Summons and the defendants named in the Complaint. (Doc. 32.) On March 28, 2023, Plaintiff filed another consolidated Request, 488 pages in total, and filed another 496-page Request on April 2, 2023. (Docs. 33, 34.) On April 4, 2023, Plaintiff filed yet another 497-page Request. (Doc. 36.)

Plaintiff's voluminous, redundant filings put an extraordinary and unjustified burden on Court staff and resources. Plaintiff's repeated emailing of the Deputy Clerk requesting status updates is also inappropriate and inconsistent with the Court's Standing Order in this case and the Court's Procedures. (See Standing Order at 2, Doc. 5 (incorporating the Court's Procedures Page); Procedures § 28 ("Parties and counsel are instructed to refrain from inquiring by phone or email regarding the status of a motion, stipulation, or proposed order.")).) In light of the foregoing, the Court finds that Plaintiff's use of the e-filing system has proven problematic and REVOKES Plaintiff's electronic filing privileges in this case. Plaintiff may not register anew to file via ECF in this case without Court approval. The Court also ORDERS Plaintiff to refrain from emailing the Deputy Clerk and the Court for status updates.

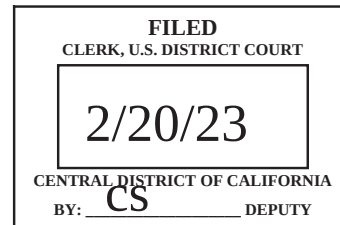
Plaintiff may still file documents electronically through the Electronic Document Submission System ("EDSS"), which does not require the Court's permission to use. Plaintiff is advised to consult the website of the U.S. District Court for the Central District of California to learn about EDSS. (<https://apps.cacd.uscourts.gov/edss>.)

cc: Attorney Admissions

Initials of Deputy Clerk: vrv

Fee Paid

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5 toddryangregoryhill@gmail.com
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**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA**

WESTERN DIVISION

TODD R. G. HILL (“HILL” or Plaintiff),) CASE NO. CV23-1298-JLS(PDx)

individually,

) **“IMMEDIATE RELIEF REQUESTED”**

and as attorney-in-fact *guardian ad litem*

)
to ROES 1-888,

) **PLAINTIFF DEMANDS TRIAL BY JURY**

)
Plaintiff,

) **FOLLOWS A COUNT BY COUNT OF**

) **PLAINTIFF’S ALLEGATIONS:**

)
vs.

) **[COUNT I] Violations: 18 U.S.C. § 1962:**

)
THE BOARD OF DIRECTORS,

)
OFFICERS AND AGENTS AND

) **Operation of RICO Enterprise:**

)
INDIVIDUALS OF THE PEOPLES

)
COLLEGE OF LAW:

) **Violations of 18 U.S.C. § 1962(c) Fraud and**

) **Constructive Fraud;** by operating a scheme to

) defraud law students subject to mandatory

) participation in the First Year Law Students Exam

THE GUILD LAW SCHOOL DBA

1 Plaintiff argues in part that the “privilege”⁴ grant offered by the Judiciary (and not the
2 Legislative or Executive branches) is a “liberation” from a State sovereign-imposed
3 limitation or “easement” on the citizens First Amendment privilege and that due process
4 requires more than “rational basis” review in this context.
5

6
7 **VENUE**

8 Venue is proper within this Court pursuant to 28 U.S.C. § 1391(b)(2) and § 1391(c)1, in that,
9 plaintiff is a law student and citizen residing in the State of California. In accordance with 28
10 U.S.C. § 1391, venue is proper in this District because a substantial part of the conduct giving rise
11 to Plaintiff’s claims occurred in this District, including Plaintiff’s purchase of the legal
12 postsecondary education service, because Defendants transact substantial business in this District,
13 and because Defendants have intentionally availed themselves of the laws and markets within this
14 District.
15

16
17 Venue is invoked pursuant to 18 U.S.C. § 1965(a)⁵ and § 1965(b)3.

18 In re pro se representation before Federal Court for complex matters, pro se Plaintiff requests
19 Federal Attorney applicant consideration and Court approval under 28 U.S.C. § 1654 for this cause
20 and any other as pro se litigant or as counsel elect for the persons or parties as long as Plaintiff
21 HILL can demonstrate that he comports himself to the same or similar standard of the “ordinary
22 member of the profession in good standing.”
23

24
25 ⁴

26 ⁵ 2 18 U.S.C. 1965(a) Any civil action or proceeding under this chapter against any person may be instituted in
27 the district court of the United States for any district in which such person resides, is found, has an agent, or transacts
28 his affairs. (b) In any action under section 18 U.S.C. 1964 of this chapter in any district court of the United States in
which it is shown that the ends of justice require that other parties residing in any other district be brought before the
court, the court

1 **The Parties:**

2
3 **Culpable Defendants in this action under RICO.**

4
5
6 I. Defendant THE STATE BAR OF CALIFORNIA is a culpable person and bad
7 actor who can't operate distinctly of DURAN, WILSON, AREPYTYAN, DAVYTAN,
8 nor WILSON here, who each use and direct Enterprise S as conduit to acquire, directly or
9 indirectly, Enterprise P and Enterprise S interests or monies and affecting interstate
10 commerce through a pattern of racketeering activity with at least legal malice, fraudulent
11 concealment, ratification, and judicial fraud. Enterprise S also acts as its own purported
12 supervisor for IOLTAs, governance by its majority active market participants among
13 Board of Trustees from the active market and Enterprise S.
14

15
16 II. Plaintiff's business and property were directly and proximately injured by reason
17 of defendant THE STATE BAR OF CALIFORNIA's violation of § 1962(a)-(b), and by its
18 official actors bad acts under § 1962(c)-(d) and Cal. Gov. § 815.6. Defendant THE STATE
19 BAR OF CALIFORNIA had a negative duty under Cal. Gov. Cod. § 815.6 not to engage
20 in conduct listed under 18 U.S.C. § 1961. STATE BAR and DURAN are both named
21 defendants. Cal. Gov. Cod. § 815.3(b). This entity is used for protection, is not sovereign,
22 and must be liable. Official acts of DURAN are subject to 42. U.S.C. § 1983 claims, here,
23 too, for which STATE OF CALIFORNIA is liable under Cal. Gov. Cod. § 815.3(b).
24

25
26 III. Defendant THE STATE BAR OF CALIFORNIA is a culpable party and bad
27 actor who can't operate distinctly of DURAN, HOLTON, DAVYTAN, nor WILSON
28

1 here, who each use and direct Enterprise S as conduit to acquire, directly or indirectly,
2 Enterprise P and Enterprise S interests or monies and affecting interstate commerce
3 through a pattern of racketeering activity with at least legal malice, fraudulent
4 concealment, false ratification, and judicial fraud. Enterprise S also acts as its own
5 purported supervisor for public IOLTA protection, governance by its majority active
6 market participants among Board of Trustees from Enterprise P and Enterprise S.
7

8 (1)
9

10 **PLAINTIFF**
11
12

- 13 I. Plaintiff TODD R. G. HILL (“HILL” or “Hill” or “Plaintiff”) is a United States citizen,
14 member of the public, individual entrepreneur, and person, with his principal place of
15 business in Quartz Hill, California. Plaintiff is in the business of specialty chemical
16 services. Plaintiff is a member of the public not previously admitted to any Bar.
17

18 **DEFENDANTS**
19

- 20 I. Defendant PEOPLE’S COLLEGE OF LAW (“PCL”) is a California law corporation and
21 culpable person with its principal place of business in Los Angeles, CA. PCL is subject to
22 fee-based registration and annual licensing by THE STATE BAR OF CALIFORNIA to
23 provide legal education services through its associated persons including SPIRO,
24 POMPOSA, SARINANA, GONZALEZ, PENA, BOUFFARD, ANTONIO, GILLENS,
25 FRANCO and others to be determined; who then act as duly authorized court officials,
26 e.g., as registrar and other compliance functions like attendance, (bound to Cal. Bus. and
27

1 Prof. Code §§ 6068, 6077) on behalf of other persons controlled by THE STATE BAR OF
2 CALIFORNIA (in operational practice, and at law). PCL fraudulently schemes through
3 the judiciary’s “administrative arm”, presenting U.S. citizens and judicial officers a danger
4 of imminent lawless action through its associated actors.
5

6 II. Defendant THE STATE BAR OF CALIFORNIA (“STATE BAR” and/or
7 Enterprise S operating here through DURAN, WILSON, MAZER, and DAVTYAN) is a
8 public corporation that can be sued, and is non-sovereign or sovereign culpable person,
9 whose principal places of business are San Francisco and Los Angeles, California
10 respectively. According to its state agency website, “The State Bar [of California] licenses
11 more than 250,000 attorneys, investigates approximately 16,000 complaints of attorney
12 misconduct annually, and distributes over \$78 million in grants to legal aid organizations.
13 We serve the people of California through careful oversight of the legal profession.”
14 <https://www.calbar.ca.gov/About-Us/Our-Mission>
15
16

17 III. Defendant STATE OF CALIFORNIA (“STATE” or “State”) is a sovereign public
18 entity among the United States of America (“U.S. or “United States”) and subject to
19 Plaintiff’s denied claim, and culpable person, whose agents or assigns may claim
20 immunity or indemnification as codified explicitly to meet causes of action, or acts, when
21 clearly articulated policy backs statutorily codified immunities, only upon showing
22 operational or ministerial decisions of state actors accord with the same, and that active
23 supervision of State exists after 2015.
24

25 IV. HECTOR CANDELARIO PEÑA RAMIREZ aka HECTOR P. RAMIREZ, aka HECTOR
26 C. PEÑA, (“HCP”) is an individual and culpable person residing in Los Angeles County,
27
28

1 California. HCP is in the business of defrauding others and presenting it as legal education
2 services as a "court official" under fee-based license and the authority of the STATE BAR.
3 HCP is also in the business of immigration legal assistance and uses his credentials and
4 control of Enterprise P to fraudulently scheme through the People's College of Law
5 ("PCL"). HCP poses a clear and present danger to U.S. citizens and volunteer faculty
6 officers by presenting them with the danger of imminent lawless action.
7

8
9 V. CHRISTINA MARIN GONZALEZ, ESQ. ("CMG") is an individual who has been
10 associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of
11 Law ("PCL"). CMG is believed to be involved in fraudulent activities related to PCL, as
12 well as being involved in HCP's schemes to defraud others and present it as legal
13 education services.
14

15
16 VI. ROBERT IRA SPIRO, ESQ. ("SPIRO") is an individual who has been associated with
17 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL").
18 SPIRO is believed to be involved in fraudulent activities related to PCL, as well as being
19 involved in HCP's schemes to defraud others and present it as legal education services.
20

21
22 VII. JUAN MANUEL SARIÑANA, ESQ. ("JMS") is an individual who has been associated
23 with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL").
24 JMS is believed to be involved in fraudulent activities related to PCL, as well as being
25 involved in HCP's schemes to defraud others and present it as legal education services.
26

VIII. PREM SARIN ("PRS", "SARIN") is an individual who has been associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). SARIN is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services.

IX. DAVID TYLER BOUFFARD ("BFD", BOUFFARD) is an individual who has been associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). BOUFFARD is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services.

X. JOSHUA GILLENS, ESQ. ("GLN") is an individual who has been associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). GLN is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services.

XI.

XII. CLEMENTE FRANCO, ESQ. is an individual who has been associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). FRANCO is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services. College of Law ("PCL"). SANCHEZ is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services.

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2 XIII. PASCUAL TORRES, ESQ. ("PST") is an individual who has been associated with
3 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). PST
4 is believed to be involved in fraudulent activities related to PCL, as well as being involved
5 in HCP's schemes to defraud others and present it as legal education services.
6

7
8 XIV. CAROL DUPREE, ESQ. is an individual who has not been explicitly mentioned in the
9 previous paragraphs. However, it is possible that CAROL DUPREE is associated with
10 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and
11 may be involved in fraudulent activities related to PCL.
12

13
14 XV. GARY SILBIGER, ESQ. is an individual who has not been explicitly mentioned in the
15 previous paragraphs. However, it is possible that GARY SILBIGER is associated with
16 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and
17 may be involved in fraudulent activities related to PCL.
18

19 XVI. JESSICA "CHUYITA" VIRAMONTES, ESQ. ("JCV") is an individual who has been
20 associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of
21 Law ("PCL"). JCV is believed to be involved in fraudulent activities related to PCL, as
22 well as being involved in HCP's schemes to defraud others and present it as legal
23 education services.
24

1XVII. EDITH POMPOSO ("EPP") is an individual who has not been explicitly mentioned in the
2 previous paragraphs. However, it is possible that EDITH POMPOSO is associated with
3 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and
4 may be involved in fraudulent activities related to PCL.
5

6
7XVIII. ADRIANA ZUÑIGA NUÑEZ is an individual who has not been explicitly mentioned in
8 the previous paragraphs. However, it is possible that ADRIANA ZUÑIGA NUÑEZ is
9 associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of
10 Law ("PCL"), and may be involved in fraudulent activities related to PCL.
11

12 XIX. Defendant ALFREDO HERNANDEZ ("ALH") is an individual, and culpable
13 person believed residing in Orange County, California or Los Angeles County, California
14 in the business of providing legal services as a court official under fee-based license and
15 authority of STATE BAR is listed as the primary point of contact on the press release for
16 one fraudulent derivative action filed by PCL, which shows an acute threat of continuing
17 based on a parallel series of fraudulent, overt acts using the color of official right from
18 Enterprise S. He appears on Racket communications.
19

20 XX. Defendant JOAN RANDOLPH. ("RANDOLPH") is an individual, and culpable
21 person, in the business of providing legal services as a court official secretary in the Office
22 of the GC, as an employee, agent, and authority of STATE BAR, providing protection for
23 PCL, HCP, LEONARD, NUNEZ, CARDONA, WILSON, PST and RUBEN DURAN,
24 ESQ. through "Office of General Counsel," and for "Complaint Review Unit," and for
25 STATE BAR's public insurance Client Security Fund ("CSF") scheme to recover damages
26 paid by CSF to victims on behalf of a disbarred STATE BAR attorney in federal
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28

1 bankruptcy proceedings, concurrently defending individual, non-sovereign state actors
2 Enterprise S, STATE BAR, DAVYTYAN, DURAN against claims of misrepresentation,
3 fraud, breach of duty, contempt of Administrative Orders, corruption where DURAN is
4 defended by DAVYTYAN, WILSON, HOLTON, CARDONA, KRISILNIKOFF,
5 RANDOLPH and various others in his capacity as Board of Trustees Chairman for law
6 firm STATE BAR with substantial protection of DURAN's partnership in law firm
7 Best Best & Krieger ("BBK"), and individual defendant, DURAN, and as Enterprise S.
8

9
10 XXI. Defendant RUBEN DURAN, ESQ. ("DURAN") an inculpated individual,
11 appears to be in the business of concealing the function and existence of Enterprise S.

12 i) College of Law ("PCL"). SANCHEZ is believed to be involved in fraudulent activities
13 related to PCL, as well as being involved in HCP's schemes to defraud others and
14 present it as legal education services.
15

16 ii)

17 iii) PASCUAL TORRES, ESQ. ("PST") is an individual who has been associated with
18 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL").
19 PST is believed to be involved in fraudulent activities related to PCL, as well as being
20 involved in HCP's schemes to defraud others and present it as legal education services.
21

22 iv)

23 v) CAROL DUPREE, ESQ. is an individual who has not been explicitly mentioned in the
24 previous paragraphs. However, it is possible that CAROL DUPREE is associated with
25 HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"),
26 and may be involved in fraudulent activities related to PCL.

27 vi)

vii) GARY SILBINGER, ESQ. is an individual who has not been explicitly mentioned in the previous paragraphs. However, it is possible that GARY SILBINGER is associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and may be involved in fraudulent activities related to PCL.

viii)

ix) JESSICA "CHUYITA" VIRAMONTES, ESQ. ("JCV") is an individual who has been associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"). JCV is believed to be involved in fraudulent activities related to PCL, as well as being involved in HCP's schemes to defraud others and present it as legal education services.

x)

xi) EDITH POMPOSO ("EPP") is an individual who has not been explicitly mentioned in the previous paragraphs. However, it is possible that EDITH POMPOSO is associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and may be involved in fraudulent activities related to PCL.

xii)

xiii) ADRIANA ZUÑIGA NUÑEZ is an individual who has not been explicitly mentioned in the previous paragraphs. However, it is possible that ADRIANA ZUÑIGA NUÑEZ is associated with HECTOR CANDELARIO PENA ("HCP") and the People's College of Law ("PCL"), and may be involved in fraudulent activities related to PCL.

Duran is an active licensee and market participant.

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COMPLAINT FOR FRAUD, CONVERSION, UNFAIR BUSINESS PRACTICES

PCL-SER-00581

1 Defendant DURAN provides legal services as a court official under fee-based licensure and grant
2 of authority of the STATE BAR, such license optionally renewed annually. DURAN, also
3 provides legal services as a corporate officer and Chairman of the Board of the STATE BAR,
4 providing legal services as Chairman to its Board of Trustees, and providing legal services
5 concurrently controlling the conduct of STATE BAR, PCL, HCP, NMC, CLF, DURAN,
6 GRANDT, CSF, BW, while STATE BAR and STATE each prosecute and defend or fail to
7 prosecute and defend the same (administratively, criminally, or civilly) while being paid
8 indirectly or directly or through IOLTAs, by the conduct at issue, also represented by GRANDT
9 directly and derivatively for Board of Trustees in a unity of interests to conceal or commit overt
10 acts together or as part of Complaint Review Unit separately regulating the conduct at issue, and
11 for OCTC, OGC, CARDONA, DAVYTYAN, WILSON, NUNEZ, and DURAN currently
12 control Enterprise S through the operations of the STATE BAR. DURAN fraudulently benefits
13 from or controls the Racket and judiciary, an as such is responsible for numerous tolling
14 violations of law to the detriment of U.S. citizens and judicial officers, in clear violation of both
15 duty and law, for reasons detailed above and below.

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19
20 LEAH WILSON, ESQ. ("WILSON") is an individual who, along with DURAN,
21 AYRAPETYAN, DAVYTYAN, and others, uses and directs Enterprise S as a conduit to acquire
22 interests or monies related to Enterprise P and Enterprise S. They are accused of engaging in a
23 pattern of racketeering activity with legal malice, fraudulent concealment, ratification, and
24 judicial fraud, which affects interstate commerce. Enterprise S also acts as its own supervisor for
25 IOLTAs and is governed by its majority active market participants on the Board of Trustees from
26 the active market.

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2
3 SUZANNE CELIA GRANDT, ESQ. ("GRANDT") is an individual who, like WILSON and
4 other accused parties, allegedly uses and directs Enterprise S to acquire interests or monies
5 related to Enterprise P and Enterprise S. They are accused of engaging in a pattern of
6 racketeering activity with legal malice, fraudulent concealment, ratification, and judicial fraud,
7 which affects interstate commerce. Enterprise S also acts as its own supervisor for IOLTAs and
8 is governed by its majority active market participants on the Board of Trustees from the active
9 market.
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12
13 VANESSA HOLTON, ESQ. ("HOLTON") is an individual who, along with DURAN,
14 AYRAPETYAN, DAVYTYAN, and others, uses and directs Enterprise S as a conduit to acquire
15 interests or monies related to Enterprise P and Enterprise S. They are accused of engaging in a
16 pattern of racketeering activity with legal malice, fraudulent concealment, ratification, and
17 judicial fraud, which affects interstate commerce. Enterprise S also acts as its own supervisor for
18 IOLTAs and is governed by its majority active market participants on the Board of Trustees from
19 the active market.
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22
23 ELLIN DAVYTYAN ("DAVYTYAN") is an individual and General Counsel of the State Bar of
24 California who, along with other accused parties, allegedly uses and directs Enterprise S to
25 acquire interests or monies related to Enterprise P and Enterprise S. They are accused of
26 engaging in a pattern of racketeering activity with legal malice, fraudulent concealment,
27

1 ratification, and judicial fraud, which affects interstate commerce. Enterprise S also acts as its
2 own supervisor for IOLTAs and is governed by its majority active market participants on the
3 Board of Trustees from the active market.
4

5
6 LOUISA AYRAPETYAN, , JUAN DE LA CRUZ, , DONNA HERSHKOWITZ, ESQ.
7 ("HERSHKOWITZ"), CARMEN NUNEZ, ELIZABETH HOM, JAY FRYKBERG, GINA
8 CRAWFORD, LARRY KAPLAN, DAVID LAWRENCE, HON. JAMES HERMAN, PAUL A.
9 KRAMER, CAROLINE HOLMES, IMELDA SANTIAGO, NATALIE HOPE, STEVE
10 MAZER, YUN XIANG, JOAN RANDOLPH, JEAN KRISILNIKOFF, and ENRIQUE
11 ZUNIGA, ROBERT S. BRODY are individuals who may also be associated with the accused
12 parties mentioned above and allegedly involved in the same pattern of racketeering activity with
13 legal malice, fraudulent concealment, ratification, and judicial fraud that affects interstate
14 commerce. They may also use and direct Enterprise S to acquire interests or monies related to
15 Enterprise P and Enterprise S, and are governed by its majority active market participants on the
16 Board of Trustees from the active market.
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1 XXII. Defendant VANNESSA HOLTON (“HOLTON” OR “VAH”) resides in,
2 California. HOLTON is in the business of founding or starting companies, mergers,
3 acquisitions, and venture capital. HOLTON is the daughter of Bay Area venture capitalist
4 CLIFF KRISNIKOFF, investing in interstate securities. HOLTON is among the pawns
5 extorted by HCP for the Racket with DURAN and GRANDT, also protected by the
6 Racket, in pursuit of corrupt motives and interests unrelated to HOLTON claims or
7 defenses.
8

9 XXIII. Defendant PASCUAL TORRES, ESQ. (“PST”) is an individual, and culpable
10 person, with a principal business address in Los Angeles, California. PST is in the
11 business of providing legal services as a court official under license and authority of
12 STATE BAR annually in exchange of a fee under SBN# . PST was also the Dean of the
13 College for a brief period, overlapping the events here, in 2022. PST is in the parallel
14 business of providing services to the STATE BAR and PCL through likely participation in
15 their fraudulent scheme, including PST’s inchoate attempts with SPIRO, GONZALES,
16 and PENA to “rig” the election which Plaintiff lawfully and rightfully won. Plaintiff has
17 reasonable belief and evidence to support PST’s deliberate disregarding or concealing
18 Plaintiff’s severe injuries, emotional harm, and damages to his business and property. PST
19 knowingly allows and freely permits fraudulent use of the State Bar’s Rules for
20 Unaccredited Fixed Facility Schools against Plaintiff so he can profit from the scheme.
21 PST had a duty to inquire as to the circumstances surrounding Plaintiff’s issues, but failed
22 to respond to each and every inquiry or reasonable request for help. PST will likely claim
23 he worked without remuneration, and civil rights violations known and adjudicated, with
24 PST thereby presenting U.S. citizens and judicial officers danger of imminent lawless
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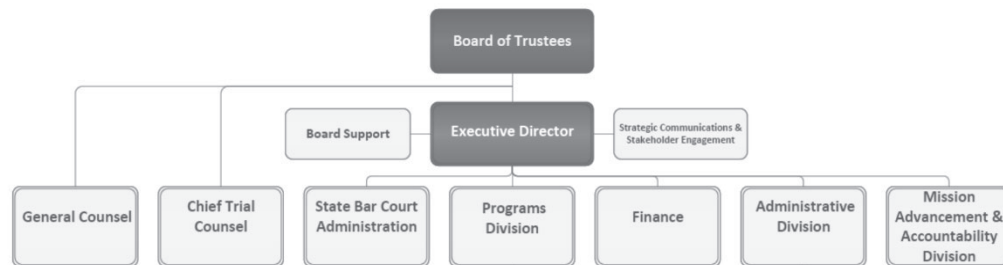
1 action, and thereby posing a clear and present danger in the U.S... Unfortunately for the
2 Defendant, the nature of the violations and his constructive knowledge will likely estop the
3 attempted use of a defense on that basis.

4
5 XXIV. Defendant IRA SPIRO.(“SPIRO”) is an individual, and culpable person, with a
6 principal place of business address in Los Angeles County, California. SPIRO is in the
7 business of providing legal and services as a court official and attorney under fee-based
8 license and authority of STATE BAR annually under. SPIRO specializes in assuming the
9 role of “counsel” within the fraudulent schemes commenced by HCP, GONZALES, and
10 other participants in the Racket, often after HCP or another Enterprise P or Enterprise S
11 operator has been disqualified or exhausted of frivolous argument. SPIRO uses pugnacious
12 and reprehensible tactics to attempt to dissuade aggrieved parties from seeking money
13 damages and prevent the aggrieved party from achieving justice. Here SPIRO has
14 demonstrated proclivity for procedural extortion, misrepresentation, perjury, slander, libel,
15 and fraud. SPIRO does this through his purported sole practice role, but he is a proxy for
16 HCP and the other culpable Defendants in fact and law.

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18
19 XXV. Defendant PREM ANTONIO SARIN (“PRS”) is an individual, and culpable
20 person, with a principal place of business address in the United States. PRS has engaged in
21 fraud, and acted for improper purposes to harm Plaintiff, and in conspiracy through overt
22 acts in furtherance of the schemes, he has also knowingly threatened to “kick [plaintiff]
23 off” of calls or Zoom video meetings in further interference to Plaintiff’s relationships,
24 stressors, and class performance.

Here, Plaintiff reiterates his reasonable belief supported by the corroborating evidence of his transcript, which “tells the tale” as Plaintiff’s average grades ranged from A+ to B-; as a consequence and additional proof of harm, Plaintiff’s average course grades went from excellence to disaster in the ; a ‘D’.

XXVI. Defendant LEAH TAMU WILSON, ESQ. (“WILSON”) is an individual, and person, with principal place of business address at 1147 Keith Ave, Berkeley, CA 94708 in Alameda County California, and is currently employed under contract as Executive Director of STATE BAR.



Plaintiff believes based on brief inquiry that WILSON prior to her current position was a Supervising Analyst and Manager of the Administrative Office of the Courts, where, according to she administered a statewide juvenile court improvement program and oversaw the allocation of nearly \$300 million in state, federal and private funding to the courts, and managed state, federal, Stimulus, and private funding streams.

XXVII.